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CAMBRIDGESHIRE, SUFFOLK,
SCOTLAND, AND WALES.

B E I N G

T H E F I F T H V O L U M E

O F T H E

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OF THE

FIFTH VOLUME.

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B I B L I O T H E C A
T O P O G R A P H I C A
B R I T A N N I C A,

N^o XXXVIII.

CONTAINING

The HISTORY and ANTIQUITIES of BARNWELL ABBEY,
and of STURBRIDGE FAIR.

[Price Six Shillings.]

AMONG the various Labours of Literary Men, there have always been certain Fragments whose Size could not secure them a general Exemption from the Wreck of Time, which their intrinsic Merit entitled them to survive; but, having been gathered up by the Curious, or thrown into Miscellaneous Collections by Bookfellers, they have been recalled into Existence, and by uniting together have defended themselves from Oblivion. Original Pieces have been called in to their Aid, and formed a Phalanx that might withstand every Attack from the Critic to the Cheesemonger, and contributed to the Ornament as well as Value of Libraries.

With a similar view it is here intended to present the Publick with some valuable Articles of BRITISH TOPOGRAPHY, from printed Books and MSS. One Part of this Collection will consist of Re-publications of scarce and various Tracts; another of such MS. Papers as the Editors are already possessed of, or may receive from their Friends.

It is therefore proposed to publish a Number occasionally, not confined to the same Price or Quantity of Sheets, nor always adorned with Cuts; but paged in such a Manner, that the general Articles, or those belonging to the respective Counties, may form a separate Succession, if there should be enough published, to bind in suitable Classes; and each Tract will be completed in a single Number.

Into this Collection all Communications consistent with the Plan will be received with Thanks. And as no Correspondent will be denied the Privilege of controverting the Opinions of another, so none will be denied Admittance without a fair and impartial Reason.

To the BINDER.

* * This Number contains Two Plates, the Head of Mr. BUTLER, and a Plan of STURBRIDGE-FAIR, both properly paged.

The Signatures are, *Title Sheet*, p. 1—8; C—M, pages 9—80.

B. B b *twice*, C c—M m, pages 1—104.

*A—*D, pages 1—32.

THE
HISTORY AND ANTIQUITIES
OF
BARNWELL ABBEY,
AND OF
STURBRIDGE FAIR.

LONDON,
PRINTED BY AND FOR J. NICHOLS,
PRINTER TO THE SOCIETY OF ANTIQUARIES.
MDCCLXXXVI.

“ Canonici qui nunc sunt Barnwelliæ cœnobium olim habue-
“ runt, per annos paucos, tempore Gulielmi Rufi, prope Castellum
“ Grantabrigense, eo in loco ubi nunc est ecclesia D. Egidii, ex-
“ tantque adhuc veteris cœnobii aliquot vestigia. Tempore verò
“ Henrici primi translati sunt Canonici Bernwelliam per Paga-
“ num (Peverellum) comitem Grantabrigensem.” Leland, Col-
lectanea, Tom. III. p. 14.

P R E F A C E.

THE subject of this work is an abstract of the Register of BARNWELL Abbey, in the hand-writing of Mr. Thomas Rutherforth, rector of Papworth Agnes, in the county of Cambridge, (and father of the late Dr. Rutherforth), whose researches into the history and antiquities of the county of Cambridge are well known. The original MS. with additions by the Rev. Dr. Maſon, is now in the hands of the Rev. Mr. Peck, ſenior fellow of Trinity College, Cambridge *, who obligingly communicated it to the editor.

Among Mr. Baker's MSS. in the Harleian Collection, N^o 7036, is,

“ Liber memorand. Ecclesiæ Convent' de Bernewell, p. 1---152.

“ Idem, ut videtur, quo usus est Lelandus & Camdenus. Hic

“ liber (quantum conjecturâ probabili assequi possumus) circa

“ an. 26 regni Edwardi regis Angliæ primi compilatus, An.

“ Domini 1298.”

It is a transcript of the Barnwell Ledger Book, Harl. MS. 3601.

An Extract of the Barnwell Book see in Leland's Collectanea, Tom I. pars 2. p. 433 — 443.

The book begins as this, “ Regnante illustri Rege Angl' Will'o. “ primo,” &c. &c.

* See British Topogr. vol. I. p. 192. Several volumes of his Collections were purchased at the sale of Dr. Maſon's MSS. by Mr. Gough. From the transcript of the bishop of Ely's registers among them are taken the articles in the Appendix.

P R O L O G U S.

“ Sole ad occasum tendente fervor diei tepescit, & mundo fefc-
 “ nefcente caritas refrigescit. Set quia scriptum est, ubi refrigescit
 “ caritas, ibi dominatur iniquitas non est mirum si fraus, dolus,
 “ & malitia, cæteraque vitia in mundo pululent: set magis timen-
 “ dum est si convalescent, quod totum mundum suo veneno infi-
 “ cient. Quia tamen pie creditur, quod ubi est spiritus Dei, ibi
 “ erit et libertas, servi Dei quamvis preffuras patiantur in mundo,
 “ non tamen conficientur in tempore malo; set salvabit eos
 “ Dominus, & liberabit eos, & eruet eos a persecutoribus, quia
 “ speraverunt in eo. Quapropter et servi Dei de cætero liberius
 “ evadant manus hominum impiorum per Omnipot. Dei adjuto-
 “ rium; ex quo certum est, quod humana memoria labilis est,
 “ operæ pretium est in scriptis aliqua redigere, quæ ecclesiæ
 “ nostræ utilitati possint proficere, & patribus nostris, modernis,
 “ & post futuris, in suis angustiis, & sævientis mundi persecuti-
 “ onibus per inspectionem hujus libelli subvenire. Ad hoc igi-
 “ tur opus congrue perficiendum spiritûs sancti gratia suum
 “ præstat auxilium.”

Manner of doing homage: extracted from the above book.

When a tenant shal do his homage, he shal holde his handys togeder, and put them on his ladys handys, and shal saye in this forme that foloweth, “ I becom your man.”

A copy of this, or some other book relating to this house, is in the Archbishop's library at Lambeth, N^o 959, from which the following extracts were communicated by the late Dr. Ducarel:

De Quo Warranto, &c.

In fine Itineraciõis Justic' multa venerunt brev' reg', de quo warranto. Rex enim [Hen. III.] ante biennium per consilium Domini Johis de Kirkby inceperat castrum Cantebriḡ', unde ex precepto regis facta fuit inquisitio per liberos & legales homines de comitatu de procinctu castri, qui jurati fecerunt circuitum, incipientes ad

ad locum qui vocatur *Armeswick*, circuibant fossatum castrî, ascendentes usque ad locum qui vocatur *Afwickston*, & descendentes fecerunt transitum per medium curiæ scholarum de *M'ton* * per vetus fossatum usque ad riveram. Et tandem redeuntes dederunt responsum suum quod totus ille circuitus spectabat ad precipitum castrî per sacramentum quod fecerunt. Et ex hac occasione venerunt brevîa regis singula super omnes inhabitantes ultra pontem ex parte castrî. Quo warranto, &c. Unde timor omnes invasit; Prior vero opposuit se dicens, quod ad ecclesiam sancti Egidii juxta castrum erant canonici de *Barnewell* in principio fundati, ibique habuerunt officinas suas satis competentes, & duas acras terre ante portam ecclesie sue versus ripam, &c. Unde Justic' prefixerunt diem Priori & omnibus habitantibus ultra pontem prope castrum ad scaccarium regis, &c. Lib. 3.

Hæc inquisitio facta fuit tempore Simonis de *Affellis* qui erat Prior duodecimus in ordine. Iste Simon, *Jolano* cedente, electus est in Priorem communi omnium voluntate. Episcopus vero *Eliensis* Hugo de *Balesham* (cujus tunc erat officialis) eundem cum gaudio suscepit, & Priorem fecit. Hic Hugo constituit collegium Sancti Petri in *Cantabrigia* anno 1280; cui potestas facta fuit per Edwardum primum anno regni sui 9^o.

Ex Histor. Barnwell.

Johannes Peckham Archiepiscopus Cant' visitavit prioratum de *Barnewell*, lib. 1^o, Abbas de *Evesham* fuit Vicecancellarius, lib. 2.

Audiens autem rex (*Henricus*) quod *Insulares* multa mala facerent in circuitu, venit cum magno exercitu ad villam *Cantebrig'* & ibi hospitabatur. Rex vero *Alemannie* *Richardus* pater regis hospitabatur in prioratu de *Barnewell*. Rex vero fecit edificari portas & facere fossatas in circuitu ville cum magna diligentia, nec permisit operarios diebus festivis ab opere incepto cessare. Ministris vero Regis quotidie exhibant per circuitum insule si forte possent aliquos de *Insularibus* comprehendere. Exierunt ergo quidam *Insulares* de sua virtute confidentes, & ceperunt mala facere in villa de *Horninggessey* secundum quod consueverant in contemptum Regis. Sed ministri Regis quatuor ex ipsis comprehenderunt, ceterique fugerunt ad naves suas: de quibus quatuor comprehensis tres sunt decollati, quartus vero erat *Walterus* de *Cothenham*, miles factus in *Insula*, & hic erat laqueo suspensus. A die ergo illo facta est securitas habitantibus in patria, quamdiu Rex presens erat. Post paucos vero dies venerunt rumores ad Regem quod Comes *Glouc'* cepisset civitatem *London'*, & quod legatus missus in *Anglia* a latere domini pape obfessus erat in turre *Lond*: & recessit Rex cum toto exercitu suo festinans ad partes illas, & reliquit villam *Cantebrig'* sine custode. Quod scientes *Insulares* venerunt cum multitudine armatorum ad villam *Cantabrig'*, & portas quas Rex construxerat igne combufferunt, & multa mala & depredaciones fecerunt. *Burgenfes* vero *Cantabrigienfes*, scientes eorum adventum, omnes fugerunt; nec remansit unus etiam ex ipsis qui resisteret *Insularibus*. Revertentes autem milites per prioratum de *Barnewell*, inierunt inter se consilium ad molendinum venti, ut totum prioratum concremarent, & aulam precipue ubi Rex *Alemannie* hospitabatur. Horum

* *Merton*.

confilium duravit fere per duas horas. Sed dominus Hugo de Peche, & dominus Robertus Peche frater ejus, opposuerunt se; dicentes, quod citius morerentur quam permetterent ossa patris sui & predecessorum suorum cremari. Et sic salvata est domus ab incendio, &c. Lib. 3. Lamb. MSS. 959. 19, p. 197.

This latter extract is printed in this work, p. 15.

The two following extracts are taken from Baker's MSS. at Cambridge, vol. XXVIII. p. 156.

"Mart. 15, 1531. Dominus [Episcopus Eliens'] dedicavit magnum altare
"B. Marie Cantebri' &c. &c. post biduum in cancello Omnium Sanct' de
"Bernwell (propriam sepulturam habens) est dedicata."

"Anno 1538, Henricus VIII. Rex et totius Ecclesiæ Anglicanæ tum Synodi
"tum Parliamenti autoritate supremum caput confirmatus electionem prioris de
"Bernwell significat Episcopo Elien', mandatque ut confirmet, alioquin Rex de-
"fectum Episcopi, ut supremum caput, supplere curabit." Collect' Episcopi
Eliens'.

The account of STURBRIDGE Fair, a necessary appendage to the history of the monastery and parish in which that famous mart is kept, is compiled from various original documents, chiefly in the collections before mentioned. The plan was drawn by the late ingenious Mr. Effex, who lived just to complete it.

BAR N WELL

BARNWELL ABBEY.

IN the reign of William the Conqueror, one Picot, a Norman, surnamed from his office *Vicecomes*, had a very rich barony given him by the said king, in Cambridgeshire. He was sheriff of that county, but he rankt as earl among the nobility of the kingdom.

This earl Picot married a noble lady, whose name was HUGOLINE, a very charitable, pious, good woman. After the death of William the Conqueror, and in the reign of his son William Rufus, this Hugoline was seized with such a violent fit of sickness in Cambridge, that she was given over by the king's physicians, and many other physicians, who were called to her assistance. Upon which, she vowed a vow (as it is said) to God and also to St. Giles (whom she had always looked upon as her peculiar patron), and promised, that if she recovered her health, she would build a church to his honour, and establish a house of religious, and dedicate the same to God and St. Giles. And to this vow her husband consented, and promised to fulfill it. Upon which she perfectly recovered in three days. Therefore both she and her husband were very zealous to fulfill their vow immediately, but could

not agree what order of religious to establish. At last they consulted St. Anselm, who was then archbishop of Canterbury, and Remigius bishop of Lincoln, in whose diocese Cambridge then was. By their advice they built a church to the honour of St. Giles, with convenient apartments (*officinas competentes*), near the castle of Cambridge; and having gathered together six canons regular, and sent for one Galfrid, canon of Huntingdon, a very religious man; they appointed him to govern this their new erected society, to which they gave for their maintenance two parts of the tythes of all their demesnes, and of the demesnes of all their knights within that province, having first obtained the leave of Remigius, bishop of the diocese. They gave them also the advowson of all those churches which belonged to them in fee, (*de jure fundi*) and Picot confirmed all these donations by his charter, at the instance of his wife Hugoline ¹.

PYCOT'S Charter.

Pycotus vicecomes omnibus hominibus suis et amicis Francis et Anglis tam presentibus quam futuris sal. Sciatis me consilio domini Remigii Linc' ep'i et precibus H. uxoris meae constituisse canonicos regulares apud Cantabrigiam ad ecclesiam S'ti Egidii in perpetuum Deo servituros, et eorum consilio dedisse eisdem canonicis et concessisse, et hac mea charta confirmasse, pro amore Dei et Christi salvatoris mei eccl' S'ti Egidii de Cant' ubi domus eorum fundata est, eccl' de Mordone cum capella de Redderia, eccl' de Thadelaws, eccl' de Brune, cum capella castelli et cum capella de Caldecote, eccl' de Cumbertone, eccl' de Maddingle, eccl' de Ramptone, eccl' de Harlestone, et de Henchistone, habendas et tenendas libere, quiete, honorifice, integre, in pratis, in terris, et pasturis, et cum decimis molendinorum, et cum omnibus aliis pertinentibus in villa et extra villam, in liberam et puram et perpetuam elemosinam. Concessi similiter jam dictis canonicis consilio predicti R. Linc' ep' duas partes de omnibus dominis omnium militum meorum in Cantabrigeshire, scil. de Queija, de Stowe, de Waterbeche, de Midletone, de Impetone, de Histon, de Grettone, de Hoketon, de Ramton, de Coteham, de Lollesworth, de Trumpitone, de Haselingsfeld, de Harleton, de Evereidon, de Tofte, de Caldecote, de Kingston, de Winepola, de Craudena, de Hattelaia, de Pampesworth, de Aldewincle, habend' et tenend' libere, quiete, et integre, in perpetuam et puram elemos' ad domus suae et illic Deo fervientium perpetuam sustentacionem. Hiis test', Humfrido capellano, &c. ²

¹ Reg. Barnwell. F. 1. C. 23. 45.

² F. 2. C. 6.

But before they had fully settled their little convent ¹, both Picot and his wife died, and left their estate and honours to their son ROBERT, whom they strictly charged and adjured to finish that work. But he was in a very little time, in the reign of Henry I. charged with being in a conspiracy to kill the king, and subvert the kingdom; and being summoned to appear before the king, he fled to avoid the punishment of his treason, and so all his estate and the barony were confiscated to the king's use ²; and this convent of St. Giles was reduced to very great want and misery. But in process of time, king Henry I. gave that barony to one of his favourites, PAIN PEVEREL, a famous and a valiant foldier, who had been standard-bearer in the Holy Land ³ to Robert Curthose of Normandy, the eldest son of the Conqueror, and returning into England, upon Robert's accommodating matters with his younger brother Henry then king, the said king took a great liking to Peverel, and gave him the barony of Pycot, and the site where Barnwell priory was afterwards built, and confirmed it to the canons of St. Giles by charter, together with the church of St. Giles, and the church of Cumberstone; and moreover gave to them the tythes of all his demesnes in Cambridge.

Pain Peverel coming into those parts, and seeing the house of St. Giles desolate, and in a miserable condition, said, that as he succeeded to the possessions of Picot, so he would succeed him in finishing the work which he had left imperfect, and therefore resolved to increase the number of canons to the number of the years of his own age, viz. 30 ⁴. But viewing the place where the present house was built, and finding it not sufficient to contain apartments for all his intended canons, but especially that they had not the conveniency of a spring, he obtained of the

¹ F. 2. C. 7.

² C. 8. F. 2.

³ F. 18. C. 34.

⁴ F. 2. C. 9.

king a certain place without the town of Cambridge, *a magna platea usque in riveram Cantebrig'*, a very pleasant situation, in the midst of which piece of ground were the springs called *Barnwell*, that is, the *Springs of the Children*¹, from the resort of children and young persons thither yearly on the eve of St. John the Baptist, to amuse themselves with wrestling matches, and other sports, which concourse in succeeding times gave rise to the fair there held.

On this place, one Godilo, a man of great piety, leading a solitary life, had built a little oratory of wood, to the honour of St. Andrew the Apostle. But being dead a little before, had left the place without inhabitant, and his oratory without a keeper².

The foresaid Pain Peverel having resolved upon the re-establishment of the priory aforesaid, under Galfrid aforesaid, gave them the following charter, not only confirming that of Picot, but also to make additional gifts of his own :

P. Peverel, omnibus hominibus et amicis Francis et Anglis, tam præsentibus quam futuris salutem. Sciatis me dedisse et concessisse, et hac mea carta confirmasse, canon eis meis de *Cant'*, pro amore Dei, et pro salute animæ meæ, omnes ecclesias et omnes decimas in *Cantabrigeshire* quas *Pycotus* vicee mes eisdem canonicis dedit, concessit, et ipsa carta confirmavit, scilicet t, ec' S. Egidii de *Cantab'* ubi domus eorum fundata est, ec' de *Mordon* cum cap' de *Reddaria*, ec' de *Thadelaw*, ec' de *Brünne* cum cap' castelli, et cum cap' de *Caldecote*, ec' de *Combertone*, ec' de *Madingele*, ec' de *Ramton*, ec' de *Harlestone*, ec' de *Hengston*, habend' &c. as in *Pycot's* charter.

Concessi fini iter jam dictis canonicis duas partes decimarum de omnibus dominiis omnium militum meorum in *Cantabrigeshire*, scil. de *Landbeche*, de *Waterbeche*, de *Queije*, de *Stow*, de *Middlestone*, de *Imperone*, de *Hystone*, de *Grettone*, de *Hokitone*, de *Ramptone*, de *Cottingham*, de *Lollewerthe*, de *Trumpitone*, de *Hastingfeld*, de *Harlestone*, de *Eversdane*, de *Toft*, de *Caldecote*, de *Kingstone*, de *Wynepel*, de *Crawdene*, de *Hattele*, de *Pamptworth*, de *Aldewincle*. Concessi similiter eisdem canonicis quendam locum jacentem in campis *Cantebrig'* pro tresdecim acris circa fontes de *Barnwelle* quem *Henricus R.* michi dedit, ad domum eorum stabiliendam erigendam. Ad habend' et tenend' in liberam et puram et perpetuam elemosinam libere, quiete, integre, a magna platea usque in riv' de *Cant'* in sicco et in marisco, secundum quod curia eorum in longum extenditur, et sicut dñs rex michi et hæredibus meis illum locum dedit. Concessi similiter eis in liberam elemosinam unam hydram terræ de dñio meo in *Bunna* et dimidiam virgatam terræ quam *Kadulphus* de *Mordone* tenuit. Hiis test', &c.³

¹ Vide Dugdale, Mon. Angl. II.

² F. 2. c. 10.

³ F. 2. c. 12.

Having things sure on his own part, he also took care for their further security to get all the necessary charters of confirmation from the pope, the king of England, the archbishop of Canterbury, the bishops of Lincoln and Ely ¹.

King Henry the First's charter.

HENRICUS rex Angliæ Herveo episcopo de Ely, et Gilberto vicecomiti, et omnibus baronibus suis Francis et Anglis de Cantebrigeschyre, salut'. Sciatis me dedisse et concessisse, ad preces Pagani Peverel, canonicis de Cantabrigie, locum quandam in campis Cantabrigie jacentem circa fontes de Bernwell, pro tresdecim acris terræ ad domum eorum stabiliendas, et ecclm suam fundandam, habend' et tenend' in liberam et perpetuam elemosinam libere, quiete, integre, in sicco et marisco a platea uique in riveriam de Cantabrig', secundum quod curia eorum in longum extenditur. Concessi eciam eis decimas de dominio meo de Cantabrigia, et ecclesiam Sancti Egidii, et ecclesiam de Cumberstone in perpetuam elemosinam. Teste Rogo episcopo Sarum, Willo ep̃o Exon. Johē ep̃o Badue, Turstano capellano, Hamone dapifero, apud Merlebrigam in Pascha ².

Carta D'ni Remigii Lincolnienfis episcopi.

Omnibus Sanctæ Matris ecclesiæ filiis ad quos presens scriptum pervenerit Remigius Dei gratia Lincoln' ep' eternam in Dño sal'. Noverit universitas vestra nos divinæ pietatis intuitu, ad presentationes et petitionem domini Pycoti vicecomitis, dedisse et concessisse et presenti carta nostra confirmasse canonicis de Cant' eccl' S'ci Egidii de Cant', ubi assensu nostro domus eorum fundata est, et ecclesiæ de Morden cum cap' de Redderia, eccl' de Thadelows, eccl' de Brunne, cum cap' cast. et cum cap' de Caldecote, eccl' de Comberton, eccl' de Maddingle, eccl' de Ramton, ecclesias de Harleston et de Henxton; hab' et ten' in p'prios usus libere quiete, et integre, cum omnibus aliis pertinentiis ad inopiam suam relevandum. Concessimus eciam eis et presenti carta nostra confirmavimus, ad presentationem jam dicti Pycoti, duas partes decimarum de omnibus dominiis omnium militum pertinentium ad baroniam de Brunna in Cantebrigeshire, scilicet de Queija, de Stowe, de Waterbeche, de Landbeche, de Middleton, de Impeton, de Hylstone, de Greitone, de Hokitone, de Rampton, de Cotenham, de Lollesworth, de Trumpitone, de Hasselingfelde, de Harleston, de Eversedone, de Toste, de Caldecote, de Kingstone, de Wynepol, de Craudene, de Hatteleia, de Pampswithe, de Aldewincle, habend' et tenend' in usus proprios integre quiete libere ad domus suæ et in ea Deo servientium perpetuam sustentationem. Hiis test', &c. ³.

Carta Domini Hervei Eliensis episcopi primi.

Herveus Dei gratia Elyenf' episcopus omnibus Sanctæ Matris ecclesiæ filiis et fidelibus salutem, et Dei benedictionem, et suam. Noveritis nos divinæ pietatis intuitu, ad præsentationem domini Pagani Peverel, dedisse et concessisse et presenti carta nostrâ confirmasse, canonicis regularibus de Barnwelle omnes ecclesias quas predecessor noster bonæ memoriæ ⁴ confirmavit. Concessimus etiam eis duas partes de-

¹ F. 3. C. 13.

² F. 3. C. 14.

³ F. 3. C. 15.

⁴ Dominus Remigius Lincoln' episcopus eis concessit et sua carta.

cimarum de omnibus dominiis jam dicti Pagani et omnium pertinentium ad baroniam de Brunne in diocese nostra, hab' et tenend' libere, quiete, pacifice, in liberam, puram, et perpetuam elemosinam, secundum quod continetur in carta predecessoris nostri ad domus suæ et illuc Deo servientium perpetuam sustentationem. Confirmamus etiam eis et corroboramus omnes alias possessiones et donationes et elemosinas a quocunque sibi factas, relaxantes eis qui jam dictis canonicis et ecclesiæ suæ aliquid bene fecerint 40 dies de injuncta sibi penitentia secundum quod carta venerabilis dñi nostri W. Cantuar' testatur. Hiis test', &c. ¹.

Carta Domini Nigelli Elyensis episcopi.

Nigellus Dei gratia Elyens' episcopus omnibus Sanctæ Matris ecclesiæ filiis et fidelibus salutem, et Dei benedictionem et suam. Concedimus et confirmamus et hac carta nostra corroboramus omnes elemosinas et donationes et possessiones canonicorum Sancti Egidii, a quocunque sibi datas. Nichilominus autem concedimus omnibus aliquid beneficii eis impertientibus vel eos et eorum res manutinentibus et consulentibus partem et fraternitatem omnium benefactorum et orationum conventus ecclesiæ nostræ et nostrarum, et quod majus est ab omnium bonorum retributore retributionem accipiant. Si quis vero aliquid possessionum vel dignitatum vel libertatum suarum minuere vel surripere presumpserit, divino subiaceat judicio donec penitentia ductus quod versus vos deliquerit emendaverit. Valete ².

Carta Theobaldi Cantuar' archiepiscopi.

Theobaldus Dei gratia C. arch' totius Angliæ primas omnibus sanctæ ecclesiæ filiis et fidelibus salutem. Noverint tam presentes quam futuri quod omnes possessiones quas famuli Christi canonici regulares Sancti Egidii de Bernwelle juste et canonice possident, vel quas in futuris temporibus canonice adipisci poterunt tam in ecclesiis quam in aliis facultatibus decimarum sive aliarum rerum seu donatione regum, seu largicione principum, seu aliorumcunque oblatione fidelium, confirmamus eis, et auctoritate et testimonio litterarum nostrarum ea corroboramus juxta quod in privilegio Domini pape Lucii et in carta venerabilis fratris nostri N. Elyens' episcopi continetur. Precipimus ergo quod libere et quiete et in pace eas teneant sicut melius et liberius tempore regis Henrici tenuerunt. Ne cuiquam liceat eos vel sua temere perturbare aut aliquam in vexacionem inferre ³.

Earl Picot founded his little canonry at St. Giles's church in Cambridge, as aforesaid, in the year 1092; but Pain Peverel, so often mentioned, translated them from thence to Barnwell, anno 1112, after they had continued at Cambridge 20 years. Upon this occasion, there was a vast concourse both of clergy and laity, and of the burghers of Cambrige. Their new habitation was much more commodious than their old one ⁴, and a church of wonderful beauty and solidity was begun in honour of St. Giles.

¹ F. 4. C. 16.

² F. 4. C. 17.

³ F. 4. C. 18.

⁴ F. 4. C. 19.

But before he had compleated his number of 30 canons, as he proposed, or provided a sufficient maintenance for them, he died of a fever in London, in the tenth year after the translation of the canons to Barnwell. He was brought down to Barnwell, and buried on the north side of the great altar in an honourable manner ¹.

Prior Gerard having obtained the consent of Hervy bishop of Ely, converted six churches, which were vacant in his time, and which he might have taken away, if he would, and he also gave them one hyde of land in Brunne out of his own estate. At the same time, Pain Peverel provided his church of Barnwell with many ecclesiastical garments, and enriched it with very rich ornaments and real reliques, which he had collected in his expedition to Antioch with Robert Curthose, and which had been presented to him by the patriarch, king, and nobles of that place. He would have given them also other necessary furniture, and finished the rest of the apartments in a very elegant manner, if God had spared his life ².

His son WILLIAM, who succeeded him, confirmed to the canons afore said all the donations which they had received from his father, and moreover he gave them half a hyde of land of his own estate in Brunne by charter. Afterwards going to, and dying at Jerusalem, he left no heir. His four sisters, daughters of Pain Peverel, divided the whole barony between them ³. The eldest of those sisters, MATILDA *de Doure*, died also without an heir, and then the inheritance came to the three surviving sisters. One of these, whose name was ALICIA, was wife of HAMON PECHE the elder, and had by him both sons and daughters. Hamon Peché's eldest son was named GILBERT Peché the first. The second GALFRID Peché. This Galfrid Peché

¹ F. 5. C. 20.

² F. 5. C. 21.

³ See the pedigree.

gave to the canons the church of Harlstone to find them habits. Hamon, the son of Gilbert Peché aforefaid, took to wife a foreigner, whose name was EVE, who brought him five sons and daughters. His eldest son GILBERT Peché was the last patron of Barnwell Priory of that family.

Pain Peverell's second daughter's name was ROYSIA. She was the mother of Albreda Harecourt, from whom sprang Galfridus, Roger, Robert, William, and Richard Truffebut. But these all dying without issue, there remained only three sisters, ROYSIA, HILLARIA, and AGATHA. The son of ROYSIA was Robert de Ros senior, and the son of Robert was William, and those three, William, HILLARIA, and AGATHA, were joint heirs.

But the third sister was named ASCELINA *de Watervile*, and she had two daughters, Ascelina *de Watervile*, and Matilda *de Dive*. Of Ascelina sprang Roger *de Torpel*, and of Matilda was born Hugh *de Dive* ¹.

Gilbert the son of Hamon Peché caused his great grandfather Hamon Peché, and Alice his wife, to be taken up, and buried in one marble tomb, on the north side of the great altar, at the head of the celebrated Pain Peverel. The father of this Gilbert was Hamon, and his mother was Eve, a foreigner, as aforefaid, and they had six sons; Gilbert, Hamon, Hugh, Robert, Thomas, and William. Five of them were great and powerful knights (*milites*). But the sixth a clerk, who had many churches, and a plentiful income. Their father died in the Holy Land, and they brought his body to Barnwell, and buried him in the chapel of the blessed Virgin Mary. His wife was buried on his right hand, and his youngest son William, a beautiful young man, but a most valiant soldier, died a bachelor, and was buried on the left hand of his father.

¹ F. 5. C. 23.

² F. 3. C. 24.

In the time of prior Jolan, Sir Gilbert Peche drew up a form of proceeding in time of a vacancy of the church of Barnwell, to this effect; It was agreed, by the mutual consent of himself and the canons of Barnwell, that whensoever it should happen that the said monastery should be vacant, that one or two canons should be appointed to go to him, if he was within the kingdom of England, or to his steward if he was out of it, and to declare the vacancy of the said monastery, and should say thus:—"Sir, we come to you as our patron, and declare the vacancy of our house to you, and by your good leave we will proceed to our election." And when they had thus asked leave, they might freely proceed to election, whether they had leave or no; provided that, after the election, they presented the person elected to him, and his heirs, as patron, and required his consent. And in order to prevent any waste or destruction of what belonged to the monastery during the time of vacancy, he bound himself and his successors to keep but one servant and one horse, with a boy, who should only keep possession as an acknowledgement of his right of patronage, but do no damage, either by taking away, selling, giving away, or changing any of the goods belonging to the monastery. That this servant shall only be admitted, together with the officers of the house, to keep things safe till they were provided with another prior. And he established this as a standing form, and gave this liberty (as he expresses it), because he was not willing that any of his heirs or successors should do any prejudice to the monastery. The agreement and concession was interchangeably signed and sealed at Barnwell, anno 1256, the first Sunday in Advent¹. The witnesses were Reginald de Gefringhale, chancellor of Cambridge, Stephen de Wotton, Robert de Rothing, &c. This was afterwards confirmed by the king at Westminster, May 12².

¹ F. 16. C. 26.

² Dugd. Mon. Ang. II. 32, 33.

This Sir Gilbert Peche had two wives; the first was Matilda de Hattings, a lady very eminent, especially for her excellent accomplishments of mind; she left sons and daughters, and died at London, and her body was buried in the church of the canons of St. *Mary Overey* (*ultra aquam*), because it could not be safely and honourably brought down to Barnwell (as she desired), by reason of the disturbance that was then in England. But, however, her heart was brought down, *in plumbeo locello*, and buried before the high altar near her children; at which time, Sir Gilbert gave to the church of Barnwell, for the good of the soul of his departed wife, 10d. of yearly rent in Chavele. After this, he married Johanna, the daughter of Sir Symon de Grey. He loved and honoured this lady exceedingly, because she was not only extraordinary beautiful, but also very good. By her he had both sons and daughters, and he loved her children, for their mother's sake, better than he did those of his first wife, as plainly appeared by his behaviour towards them. For he made a good settlement upon his second wife and her children, to them and their heirs for ever; but he left John and Edward, his sons by his first wife, in a manner without maintenance; for what reason was never known; and he made king Edward, son of Henry and Eleanor his queen, heirs of the remainder of his barony ¹.

Amongst other things, he gave to this house the perpetual advowson of the church of St. George in Barnwell. This was done anno Domini 1284, anno regni Edward I. 12. Upon this, the prior was called to Westminster by a royal writ, to declare before the justices of the King's Bench by what services he held the priory of Barnwell from the aforesaid Sir Gilbert Peche ². Master Symon de Aschele was then in the 16th year of his priorship. He went before the king's justices (of whom there

¹ F. 16. C. 27.

² F. 6. C. 28.

were

were several at Cambridge at that time); and being asked by what service he held the priory of Barnwell of Sir Gilbert Peche, he answered truly, that he held it *in liberam, puram, et perpetuam elemosinam*, and that he was not bound to him at all upon that account, but only to pray for him; excepting that, in the vacancy of the church, they were to let him know, as true patron, and desire his leave for election, according to the agreement above. Upon which they appointed the octaves of Trinity for him to shew the instrument of agreement to the justices of the King's Bench at Westminster. But he, willing to save the trouble and expence, alledged his own imbecillity, and did fealty to the king and queen there, for holding the priory of Barnwell of them for the future, according to the form of the instrument of agreement before-mentioned. He also there appointed one of his canons as his attorney to shew the said instrument at the time and place appointed; and also to make acknowledgement as afore-said. Accordingly the canon appeared as the prior's attorney, and made the acknowledgement, and had it inrolled. The justices present on the King's Bench were John de Kyrkebi, at that time treasurer to the king; John de Berewyck, the queen's clerk ¹. The inrollment of this acknowledgement, &c. may be found among the proceedings *de Quindena Trinitatis apud Westm', in banco anno regn' regis Edw' Fitz Hen' 12mo.* ²

After this, prior Symon considering they were now in other hands, where they should not be so much at liberty to speak for themselves as when they had a private patron, and fearing lest the king's escheators should come at the time of a vacancy, and do damage to their church, he wisely and prudently applied himself to Sir Robert Burnel, who was then chancellor to the king, made him his friend, and by his means obtained letters

¹ F. 17. C. 29.

² F. 17. 30.

patents under the broad seal from the king, to confirm the privilege which Sir Gilbert Peche had given them in his instrument of agreement so often mentioned. These letters patents bear teste at Westminster, May 12, in the 13th year of the reign of Edward I. ¹

As soon as the king was possessed of this advowson, those whose business it was began to enquire into the value of it, as appears by a writ to this purpose.

W. Karleton dilecto amico suo vic' Cant' & Huntendon, salut'. Ex parte domini regis vobis mando, quod venire facias coram me, hoc instanti die Veneris, in septimana Pasch', apud Cant', xii milites gladio cinctos, cum aliis probis & legalibus hominibus ad visum de Bernewelle, ad taxand' quid et quantum advocatio ecclesie de Bernewelle valeat per ann'. Et habeatis ibi breve domini regis, una cum nominibus extentorum, et hoc breve. Valete.

Upon which day, the king's charter, by which he confirmed Sir Gilbert Peche's charter concerning the advowson and the time of a vacancy, was publicly read before all that were present. Upon which they proceeded no further, only they transcribed that charter, and carried it with them to court ².

There was a very great contest for the kingdom between Henry the First and his brother Robert Curthose; for many would have expelled Henry, and set up Robert ³.

I conjecture, that it might be upon this occasion, that Robert the son of earl Picot was concerned in the treason for which he forfeited his barony. I am the more persuaded of this, because immediately after, on account of the contest, and the peace concluded, this book adds, *Rex contulit egregio militi P. Peverelo baroniam quam Pycotus vicecomes tenuit* ⁴.

King John gave to the convent of Barnwell 10l. of silver in frank almoigne (*elemos*); and in the first year of his reign he also gave them the manor of Chesterton, in fee farm (*ad feod' firmam*),

¹ F. 17. C. 31.

² F. 17. 32.

³ F. 17. 32.

⁴ F. 18. C. 35.

and 30l. sterling of silver (*blanch*) *per ann.* upon condition that he might be discharged from the payment of the 10l. aforesaid ¹.

His son king Henry II. confirmed the grant which his father had given them of Chesterton ². Edward, the king's eldest son, besieged the isle of Ely and the troops therein. They agreed to give him admission on promise of saving their lives, limbs, and property, and so peace was restored ³.

In the 27th year of king Edward the First, the prior of Barnwell was summoned before the king's justices itinerant at Cambridge, to answer to a *quo warranto* how he came to have the view of frank pledge and assize in Chesterton, and an annual fair in Barnwell. As to the first of these, he produced the charter of king John, the present king's grandfather, which testified that Chesterton was of the ancient demesnes of the king, and given them by king John, with all its appurtenances, liberties, and immunities in fee farm, for 30l. *blanch. per ann'*; and as to the fair of Barnwell, he alledged that king Henry had by charter granted them this fair for four days, &c. Upon which the prior was dismissed, *salvo jure regis* ⁴, &c.

In Domesday-book, Chestertone is thus inrolled:

*C*_{ESTRE}*TONE* dñica uilla regis. p xxx. hid se defd. Tra
ē. xvi. car⁷. In dñio su⁷. iiii. 7 ix. adhuc poīs fieri. Ibi. ii.
uilli 7 xvi. bord 7 vi. cot cū. iiii. car⁷. Pbr hē. i. uirg⁷ trāe
Pū. viii. car⁷. De maresch. mille angust. Redd xv. lib
arsas 7 pensatas. 7 xiii. lib 7 viii. sol 7 iiii. den⁷ de alb nñmis.
p melle frumto 7 brasio. 7 alijs c̄suetudinib⁹ T.R.E. redd
xv. lib ad numē. 7 c̄tra hoc c̄suetudinē q̄tū oportebat.

¹ In the Life of king John, F. 20. C. 39.

² Vitæ H. II. F. 20. C. 40.

³ Vitæ H. II. F. 20. C. 40.

⁴ Rot. 30. An. Octab. Hillar. anno regni R. E. fitz H. 27. Additions fol. 21.

¹ Sayerus de Quinci comes Winton' dedit ecclæ de Bernewell x libras terræ et prati, et 4 fokomannos, et novem dī virgatas terræ quas consuetudinarii ejus tenuerunt, cum tota sequela, et consuetudinibus, &c. Et præterea v cotar' cum sequela, et ovile liberum per bonam chartam, et bonam warr'. Quæppter si rex auferet manerium de Cestertone idem comes et heredes ejus tenerentur ad warantiam. Respice cartam que bona est; et confirmationem et war' Rogeri de Quincii, fil' ejus, comitis Wynton', et constabularii Scociæ².

King JOHN's Charter.

Johannes, Dei gratia, rex Angliæ, dñs Hybernæ, dux Normanniæ et Aquitan', et comes And', archiep̃s, ep̃s, abbibus, comitibus, baronibus, justiciariis, vicecomit', et omnibus bailis et fidelibus suis, salutem. Sciatis nos concessisse, et presenti carta nostra confirmasse, priori et canonicis de Bernewell, quod teneant de nobis et heredibus nostris in perpetuum villam de Cestertone, cum pertinentiis suis, ad feod' firmam pro triginta libr' sterlingorum blancorum annuatim reddend' ad scacc' ad duos anni terminos, scilicet ad festum S̃ti Michaelis quindecim libr', et ad Pascha quindecim libr'; ita quod nos quieti sumus de x libris argenti de elemosina nostra quamvis annuatim solvere debemus. Quare volumus et firmiter precipimus quod predicti prior et canonici habeant et teneant predictam villam de Cestertone bene et in pace, libere, et quiete, integre, plenarie, et honorifice, cum omnibus libertatibus et liberis consuetudinibus suis, sicut predictum est. Test', &c. Dat' per manus S. Archidiacon' Wall' et J. de Gray Archidiacon' Glowcest', apud Porcest', 27^o die Aprilis, regni nostri anno primo².

They had also two charters of confirmation from king Henry the son of king John, and also one from king Edward I. his son, which was to the same effect with those of his father, and was as follows :

The charter of confirmation of the fee farm of Chestertone from king EDWARD I.

Edwardus, Dei gratia, &c. Inspeximus cartam concessionis et confirmationis quam dñs H. quondam rex Angliæ pater noster fecit priori et canonicis de B. in hæc verba : " Henricus, Dei gratia, rex Angl', dñs Hybernæ, dux Normanniæ et Aquitaniæ, et comes Andeg', archiep̃s, ep̃s, abbatibus, comitibus, baronibus, justiciariis, vicecomit', et omnibus ballivis et fidelibus suis, salutem. Sciatis nos concessisse, et presenti carta nostra confirmasse, priori et canonicis de B. quod villam de Cestertone cum pertinentiis suis, quam dñs J. rex pater noster eis concesserat et carta sua confirmavit de feodi firma pro xxx libr' sterlingorum blancorum annuatim reddendā ad scacc' nostrum, habeant et teneant de cetero de nobis et heredibus nostris ad feodi firmam pro triginta una libris numero hujus modo reddend' ad scacc' nostrum ad duos terminos, scilicet ad Pascha quindecim libras, et x s. ad

¹ F. 26. Lib. II. c. 2.

² Lib. II. F. 26. cap. 3.

festum S^ti Mich' xvi. xs. Ita quod nos et heredes nostri per hanc concessionem nostram eis factam quieti erimus in perpetuum de x lⁱ. argenti quas præfatus pater noster et rex J. ante concessionem et confirmationem suam eis factam de predicto manerio de Cestertone, sicut predictum est, eis concesserat annuatim de elemosina sua percipiend'. Concessimus etiam, pro nobis et heredibus nostris, quod manerium predict' de Cestertone in perpetuum sit quietum de visu franki plegii. Quare volumus et firmiter precipimus, quod predict' prior et canonici habeant et teneant predict' villam de Cestertone bene et in pace, libere, et quiete, integre, plenarie, et honorifice cum omnibus libertatibus et liberis consuetudinibus quietam in perpetuum de visu franki plegii, sicut predictum est. Hiis testibus, &c. Dat' per manum venerabilis patris Ricard' Cicestr' epi et cancellar' nostri, 13mo die Maii, anno regni nostri 13mo. Nos autem concessionem et confirmationem predict' ratam habentes et gratas eas pro nobis et heredibus nostris predictis priori et canonicis et successoribus suis concedimus et confirmamus, sicut carta predict' rationabiliter testatur. Hiis testibus, &c. Dat. per manum nostram apud Westm', 12mo die Junii, anno regni nostri 13mo. ¹

The Charter of EDWARD II.

Edwardus, Dei gratia, rex Angl', dñs Hybern', et dux Aquitan', archp̄is, ep̄is, abbatibus, prioribus, comitibus, baronibus, justic' vicec', prepositis, ministris, et omnibus ballivis et fidelibus suis, salutem. Inspeximus cartam confirmationis quam celebris memoriæ dñs Edw' quondam rex Angl' pater noster fecit priori et canonicis de Bernwelle, in hæc verba: "Edwardus, Dei gratia, rex Angliæ, dñs Hybern', et dux Aquit', archp̄is, ep̄is, abbatibus, prioribus, comitibus, baronibus, justiciariis, vicec', prepositis, ministris, et omnibus ballis et fidebus suis, salutem. Inspeximus cartam concessionis et confirmationis, &c. ut supra, &c." Nos autem concessionem et confirmationem predictas ratas habentes et gratas eas pro nobis et heredibus nostris, quantum in nobis est, predictis priori et canonicis et successoribus suis, concedimus, et confirmamus, sicut carta predicta rationabiliter testatur. Hiis testibus, &c. Dat' per manum nostram, apud Westm', 3tio die Dec', anno regni nostri 2do.

The Charter of King EDWARD II. whereby the Prior and Convent of Bernwell are freed from tallages for all their estate in Cambridge.

Edwardus, Dei gratia rex Angl', dñs Hybern', dux Aquit', thesauro et baronibus suis de scaccario salutem. Ex parte dilecti nobis in Christo prioris de Bernwell nobis est ostens', quod cum ipse omnes terras, tenementa, et reddit' sua, cum pertinentiis, in villa Cantab', in com' Cantab', teneat de nobis in puram et perpetuam elemosinam et ipse et predecessores sui priores loci illius terras et tenementa et redditus predicta ab anno dñi Johs quondam regis Angl' proavi nostri quinquagesimo quarto; quo anno quoddam talliagium super terras, tenementa, et redditus prioris ejusdem loci p̄ assessores tallagii dicti proavi nostri in eodem comit' assessum allo-

¹ L. II. F. 26. C. 5.

catum fuit priori ejusdem loci p breve ejusdem proavi nostri, in quo continentur quod idem prior et predecessores sui ex tunc essent quieti de tallagio, et quieti esse deberunt, per considerationem curiæ ejusdem proavi nostri de tallagio quieti tenuerint. Vos nichilominus ipsum priorem, pro eo quod assessores tallagii in civitatibus, burgis et dñiis nostris in comit' predicto de annis regni dñi Edwardi quondam regis Angliæ avi nostri 32do, et dñi Edwardi nuper regis Angliæ patris nostri 6to, tallagium sup ipsum prior' in ead' villa proinde assederunt pro predicto tallagio nobis præstando p vic' nostrum comit' predicti distringi facitis, in iptius prioris dispendium non modicum et gravamen; et quia eid' priori injuriari nolumus in hac parte, vobis mandamus, quod, scrutatis rotulis et memorandis scaccarii predicti, si p inspection' eorundem vobis constiterit predictum tallag' dicto anno 54^{mo} super priorem loci predicti assessum rite allocatum fuisse, et p inquisitionem per vos capiend' vel alio modo legitimo vobis constare poterit ipsum priorem seu predecessores suos priores loci predicti nullas terras, tenementa, seu redditus, a predicto anno 54 perquisivisse, nec dictis anno 32 et 36 habuisse alia quam eodem anno 54 habuerunt, et alia causa non fuerit quare idem prior de hujusmodi tallagio onerari debet, tunc prefatum priorem de tallagio predicto de tempore predictorum avi et patris nostrorum, prout justum fuit, exonerari et quietum esse facimus. Teste me ipso, apud Haveringe atte boure, 15 die Octob', anno regni nostri 7mo.

The chancellor of Cambridge claimed a jurisdiction over the prior de Bernwell and his canons, and caused one of the canons to be cited ¹, peremptorily to answer to a certain scholar; but the canon refused to appear, and therefore he suspended him *ab ingressu eccl'æ*, for contempt, and caused him the next day to be excommunicated by his commissary; and then decreed that the prior should be cited: but the prior not appearing upon the citation, was also excommunicated; which when prior Symon heard, he wondered at their folly; but, however, sent his clerk, master H. de Mebree, and appealed to the consistorial court of the archdeacon's office in St. Mary's church; and he delivered in his appeal in writing, and speedily the prior obtained an inhibition from the official of the bishop of Ely, who appointed the parties a day to appear before him in All Saints church, *juxta hospit' Cant'*, on which day they came; and after much altercation, the official absolved the prior and his canon, they giving

¹ 1294.

security till the coming of the bishop, and said to the chancellor and scholars, &c.

Mr. Chancellor, All the jurisdiction which you have, you have by favour of my bishop, who gave you the jurisdiction over the clergy; but the archdeacon has jurisdiction over the rectors and vicars, &c. *Unum tantum sibi met reservavit, scilicet, viros. Non igitur auferatis d'no meo quod suum est si placet* ¹.

Robert de Hardwyc held an estate of the king by serjeantry, by which he was obliged to carry the king a hot loaf [*unum syminellum calidum*] every day for his dinner; and for this service he ought to have a quarter of wheat every week, with all the bran out of the king's demesnes for making the king's bread. But this serjeantry being alienated by parcels, the prior and convent of Barnwell came to be possessed of 121 acres, which are valued at sixty shillings and six pence *per ann.* And the king *de g'ra sua speciali* granted to them that they may hold the same of him and his heirs for half a mark *per ann. pro omni serv.* and gave them, &c.

Henric', Dei gratia, rex Angl', &c. dilecto et fideli suo Rob' Passelewe et sociis suis justic' ad fines serjanc' assignatis, salutem. Sciatis quod concessimus priori de Bernwelle, quod illas 121 acras terræ quas tenet de serjanc' de Cumberton' de cetero teneat easd' de nobis pro $\frac{1}{2}$ M. solvend' ad sc̄um n̄m in festo Sancti Mich', et idcirco vobis mandamus quod sic fieri et ipsum priorem p̄c̄m terminum habere permittatis. T. meipso apud Westm', 28 Apr', anno regni nostri 33.

1257. They bound their estate at Wygehale to pay the 10 marks a year to the chaplains of the university for ever.

In the civil wars between king Henry and his barons, Symon de Montefort, earl of Leicester, endeavoured to get into the Isle of Ely with his army; therefore the king ordered the bishop of Ely to defend the Isle against him, and to fortify [*barreras facere*] several places of the isle against them, and to keep a continual guard at the fortified places. But the barons, knowing that the isle was well fortified, and a convenient retreat, consulted how they might get into it. And that indeed they did very cautiously,

¹ See Bentham's Hist. of Ely, p. 152.

and by degrees. But having once got footing there, they began to shew their power. They sent their emissaries out every day to seek for plunder, and did a great deal of mischief both far and near in all the villages round about them. They would take the rich, and put them in irons, and keep them prisoners till such time as they were ransomed. Sheep and oxen, corn, or malt [*brasia*], or whatever they could set upon, they would take away with them into the isle. One day, a rascally fellow, one of their gang, coming out of the isle, with an intent to do mischief according to their custom, was set upon, and taken by some countrymen, who immediately struck off his head; and upon this, a large party of soldiers went out, and set fire to several places. At last, they came to the prior's manor at Brunne, and set it on fire, and burnt the prior's barn, with all the corn which was there, and all the men of the village fled, so that there was not one left to assist in extinguishing the flames. They came every day to the priory of Barnwell, and would eat and drink, and made sad destruction, and did just what they pleased. It happened one day, that a certain fellow of a prodigious stature, called Philip le Champion, came and pulled the prior out of bed as soon as it was light, and told him, "that he must have all his corn [*bladum*], and malt [*brasia*], "and all his provision [*lardarium*], for the use of his master; "therefore," says he, "give me the keys." The prior told him, "that if he took away all, it would be impossible for them to live." But in the mean time came in two others, who were of the family of R. de Hewbrook, who was the prior's friend; and they told Philip, "that all the goods of that house was already "seized for the use of their master; and wilt thou carry them "away?" say they. "I will," says Philip furiously. The others swore he should not. Upon which, they all drew their swords, but were kept from fighting there by those that stood by.

They

They went away in a great rage, to determine the question before their master in the isle. But, however, they carried away nothing at that time ¹.

The king, hearing that the islanders did much mischief round about, came with a great army to the town of Cambridge, and quartered there. But the king of Alemaine, that is, Richard, the king's brother, quartered in the priory of Barnwell. The king caused gates to be set up, and trenches to be made round the town, with the utmost expedition. The king's men went out every day towards the isle, to try to catch any of the islanders. Several of the islanders went out one day, trusting to their own courage, and began to do mischief, as they used to do in the village of Horningeseye, in contempt of the king; but the king's men took four of them, the rest fled to their boats [*naves*]. Three of them had their heads chopt off. The fourth was Walter de Cotenham, who had been made a knight in the isle, and him they hanged upon a gibbet. And from that day the inhabitants of the country were more secure as long as the king stayed there. But in a little time news came that the earl of Gloucester had taken London: the king immediately hastened thither with his whole army, and left Cambridge to shift for itself without a garrison; which as soon as the islanders knew, they came with a great party of soldiers to Cambridge, and burnt the gates which the king had set up; and they also plundered and burnt all the houses where the king had been entertained, and did a great deal of other mischief. As for the burghers of Cambridge, they all fled as soon as they heard of their coming; so that there was nobody left to oppose them. The soldiers, in their return by the priory of Barnwell, debated among themselves at the

¹ L. III. F. 45. C. 33.

windmill, whether they should burn down all the priory, but especially the hall [*aulam*], where the king of Almain had been quartered. This debate lasted near two hours; but Sir Hugh Peche, and his brother Robert, opposed it, and said, “that they would sooner die than suffer the bones of their father and ancestors to be burnt;” and by their means the house was saved, contrary to the desire of a great many of their company. But, as they went by the gates of the priory, some of the most angry of them heavily threatened the prior John, saying, “that it was through him that Sir Walter de Cotenham was put to death.” This so very much terrified the prior, that he fled to the abbey of Waltham, and the canons that were left behind lived in continual fear and danger.

But this storm blew over in a little time; for as soon as the earl of Leicester was killed at the battle of Evesham, the king besieged his castle of Kenilworth, and had it delivered up to him upon conditions. And at the same time, prince Edward, the king’s eldest son, came into the Isle of Ely with an army. But he managed matters so prudently, that he had it wholly delivered up to him upon certain conditions². He behaved himself indeed in a very handsome and courteous manner towards the islanders, and so a peace was concluded. But though the people were by this means freed from the burthen and miseries of an army, the ecclesiastics were very much oppressed by the procurations paid to the legate, whom the pope sent to mediate a peace; and a tenth was given to the king, and also to the pope, for several years successively, and after that, 20ths, 30ths, and 15ths, by way of procurations to other succeeding legates, and in aid of the Holy Land. This was the condition of all ecclesiastics throughout the nation. But as for the priory of Barn-

¹ L. III. F. 5. C. 23.

² See before, p. 21.

well, that was more remarkably harrassed by William de St. Omer, who was the king's justiciary to enquire concerning the islanders. He took up his residence in the houses of the priory for a whole year, with a great family, and also his wife, who would sometimes have twenty-two women. And although the prior had all this great charge, and much damage done him by and upon account of him and his wife and family, yet he was very ungrateful to the prior, for at the end of his commission, he fined the prior 40s. for some misdemeanor, and would not remit it. The prior afterwards put it upon a fair trial, and was acquitted without being beholden to the justice.

In the 56th year of Henry the Third, there was a trial before the judges itinerant at Cambridge, between the prior of Barnwell and the prior of Chikefaund, concerning the power of holding a court at Rois's crofs [*apud crucem Roys* *], which court the earl of Gloucester demanded for the land which he had given to the prior of Barnwell in Pynecone. But this matter was settled, by the prior of Barnwell giving the prior of Chikefaund five marks, and there was a writing made between them to end all disputes for the future.

Mention is made of 4s. yearly rent of a certain house in Barnwell parish to be paid to the nuns of St. Radegund, 1 Edward I.

4 Edward I. the king's officers came to Cambridge, to take a general and particular account both of rich and poor, and of every person, what and how much every one held, and of whom, and by what service, and how long they had it, with a great many other articles. At which time, the envious and malicious took the opportunity to do as much mischief to their neighbours as they could. At the same time also, several of the inhabitants of Cambridge alledged, that they had used,

* Royston.

and ought by right to have, a drift for their cattle between the bakehouse of the prior and canons and the river, viz. from Greencroft to the pasture of Eftenhall, and back again, and that the prior had fet up hedges, and made ditches to stop the drift, only by the negligence and consent of Hervey Gogging, who afterwards made himself a canon; and that the burghers of Cambridge winked at it, out of respect to the said Hervey. Nay, what was more, there was a great wall built in their way. But, upon the canons producing the charter of Pain Peverel¹, the whole matter dropt.

One of the multitude however, said, "I fancy you have no more regard for that good man, who gave you so many churches and so much land, than you have for another, and never think of him but upon such occasions as these." To which one of the canons replied, "No, we can never forget him, for he sits every day at our table next the prior, and hath his portion both out of the cellar and kitchen." And indeed this is so far true, that the portion of Pain Peverel is daily set before the president in the refectory, and will be set there for ever².

The Charter for the Fair at BARNWELL.

Henricus, Dei gratia, rex Anglie, &c. archiep̃is, ep̃is, abbatibus, prioribus, conventibus, baronibus, justiciariis, præpositis, ministris, et omnibus ballivis et fidelibus suis, salutem. Sciatis nos, intuitu Dei, pro salute anime nostre et animarum ancestorum et heretum nostrum, concessisse, et hæc carta nostra confirmasse, Deo et ecclesiæ beati Egidii de Barnwell, et priori et canonicis ibid' Deo servantibus, quod ipsi et successores eorum habeant in perpetuum unam feriam apud Barnwell, singulis annis per iv dies duraturam, videlicet, in vigil' et in die Sancte Etheldrede³ virg' in estate et per dies duos proximos sequentes, nisi feria illa sit ad nocumentum vicinarum feriarum. Quare volumus et firmiter precipimus quod predicti prior et can', et eorum successores habeant in perpetuum feriam predict', cum omnibus pertinentiis, et libertatibus, et liberis consuetud' ad hujusmodi feriam pertinentibus, sicut

¹ Vide Charter.

² L. III. F. 49. c. 53.

³ St. Ethelred's day is the next day before Midsummer-day.

predict' est. Hiis testibus, J. Bathon', Richard' Dunholm', &c. Dat' per manum venerabilis patris R. Cycestr' epi, cancellarii nostri, apud Westm', anno regni nostri tertio decimo¹.

Upon obtaining this charter, the burghers of Cambridge were uneasy for fear it should be to their prejudice, upon account of some privileges which the prior and convent of Barnwell claimed as belonging to their fair. However, at last, they came to an agreement in a friendly manner before the itinerant justices, which were then at Huntingdon, and had it enrolled in their rolls in the year 1232, *regni r. Hen' fil' Jobannis 16, pridie nonas Octobris feria quarta*. And afterwards, for their greater security, had it again enrolled in the King's-bench, *in crastino animarum, anno d'ni regis 17, apud London'*. The agreement was to this effect; that the burghers of Cambridge should suffer the prior and convent to hold their fair freely, peaceably, and quietly, *cum pertinentiis*, according to their charter; *salvo tamen d'cis burgens'*, *quod quieti sint in feria predicta de thelonio, et stallagio, et botagio*; and for this concession the prior and convent are to pay to the burghers half a mark *per ann'* in recompence of all damages which may come to the said burghers upon account of the said fair².

But afterwards, in the 27th year of Edward the First, there arose a dispute between the prior and convent, and the mayor of Cambridge, upon account of the goods of a felon, who ran away, and left them in the fair. The prior's bailiff seized those goods, and carried them into the convent. But Robert Tuylet, then mayor of Cambridge, demanded them, as of right belonging to him as mayor, and this matter was carried before the barons of the exchequer by the mayor. But, by the mediation of friends, it was settled without a trial; and there were articles of agreement drawn up between them, which were in sub-

¹ L. II. F. 31. C. 27.

² L. II. F. 31. C. 28.

stance, That the prior and convent should suffer all that lived within the town or liberties of Cambridge, who, according to the custom of the said town, *omnia in eadem villa emergentia sustinent et sustinere tenentur, ut in vigil', talliag', scottag', sectis, et aliis contributionibus*, according to what the burghers of the said town do, to be free in the fair of the prior and convent afore said of stallage, bothage, and toll. And that the goods of theives, fugitives, and cut-purses, if any such are hereafter taken or found in the said fair by the prior or his bailiffs, shall be immediately delivered to the bailiffs of Cambridge; and that the burghers of Cambridge shall indemnify the said prior and convent against all persons for their so doing. And the burghers agree, that all that live in the town and liberties of Cambridge, and do not bear, or are obliged to bear, the duties, or perform the services above mentioned, shall be as much obliged to the customs of the fair, as those that come from any other place ¹.

The prior of Barnwell had a wood in Brunne, joining upon the way called Arming-street, and it happened that on *feria quarta ante diem Paschæ* there came two noted rich merchants from about Stamford, and three strangers with them. They drank together at Caxton, and went on, and when they came under the prior's wood in Arming-street way (it was after sun-set, about such time as they went to church to perform that service which in those times was called *Tenebræ*) the strangers set upon the two tradesmen, knocked them off their horses, killed, and robbed them. The cries of the tradesmen were heard in Stow church; but the robbers, having got all they had, came the same night to Roylton [*ad villam de Cruce Roys*]; and being asked how they came so wounded, and what made their cloaths so bloody, they said,

L. II. F. 31. C. 32.

“ that

“ that they had like to have been killed by thieves, and that they “ escaped their hands with much difficulty.” But the next morning, the men were found dead, and it was immediately reported every where, that the prior’s carpenters, whom he had sent thither to fell his wood, and who lay there in a hut night and day, had killed them. But when the coroner’s inquest came to sit on the bodies, they acquitted the master carpenter, whose name was Peter de Burg, because it was proved that he was at Brunne church at the time when the murder was committed.

The report of this murder coming to king Edward, and also how and where they were killed, he sent out an edict throughout all England, commanding all the woods through which the common road lies, on both sides the king’s highway, for the breadth of 60 feet, to be cut down; and there was a time fixed for the owners of the woods to do it in, under a heavy penalty. When the prior of Barnwell heard of this, he caused all the trees standing upon the banks of the ditches to be felled, and the ditches to be filled and leveled, and all the underwood to be stubbed up to the breadth of 60 feet, for fear of falling into the king’s hands. And William Baldwyn did the same by his wood of Stow, opposite to it, and so made the passage there more safe than before.

The brethren of the order of St. Mary of Carmel having pitched upon a place in St. John’s parish in Cambridge, to build themselves an house, the prior and convent of Barnwell, rectors of the said church of St. John, and Symon the vicar of the same, opposed their building there, because by that means they would inclose and make useles a great many houses which were wont to be inhabited by the parishioners, who paid real and personal tithes and oblations to the said church, and of which they should be deprived by reason of the Carmelites building there. For the Carmelites asserted, that they were exempt from payment of tithes and oblations by a grant from the apostolic see. Upon

F

which

which controversy, both parties agreed to refer the matter to the archdeacon of Ely and the official. And they, after having heard both sides, determined that the Carmelites should pay to the prior and convent of Barnwell 14s. *per ann.* in recompence for all damages which the said rectors and their vicar should sustain by their building there.

The ground which the Carmelites had inclosed at the date of this agreement extended in length from the king's highway to the great water-course, and in breadth from the land formerly John Alured's to the adjoining lane which leads to the water-course¹.

Now, as the dwelling of the Carmelites in that parish would be to the detriment and prejudice of the vicar, and lessen the income of his vicarage, therefore the prior and convent of Barnwell agreed that he should be abated this 14s. out of a pension of 20s. which he used to pay them yearly, and that now he should only pay 6s. for the future. After this agreement, John Porthors, burgess of Cambridge, for easing the Carmelites, gave to the prior and convent of Barnwell a mark *per ann.* rent, to be received out of houses in Cambridge which were annexed to the archdeaconry of Ely, and the king's licence was obtained for the appropriation of the said rent. And as for the remaining 8d. the prior and brethren of the Carmelites gave the prior and convent of Barnwell full and sufficient satisfaction. This agreement was made at Cambridge, and bears date anno 1294, 12 kal. January, and was afterwards confirmed and established by the pontifical authority at Ditton, 4 idus February, 1294, under the penalty of the greater excommunication to any one that should presume to break any part of it².

¹ Tenementum autem quod predicti fr̃es de Carm' usque ad tempus confectionis presentium incluserunt se extendit in longitudine a strata regia usque ad magnam aquam currentem, et in latitudine a terra quæ fuit quondam Johis Aluredi usque ad venellam proximam quæ ducit ad aquam currentem.

² L. IV. F. 80. C. 138.

These Carmelites dwelt first in Chesterton, in a place called La Carme, each man having his separate cell. Afterwards they removed to *Newenham extra Cantab'*, and there they built a number of cells, with a handsome church, cloister, dormitory, and all necessary apartments. Then in 1290, all the brethren of this order in England changed their habit for white copes [*capæ*] instead of coarse woollen cloaks [*pallia stragulata*].

In about two years afterwards they removed into the town of Cambridge, and there began to build, and erected a new church in Miln-street, in the parish of St. John, as aforesaid. A certain brother of this order named Humphry, at the desire of William de Luda, bishop of Ely, had licence to incept in divinity, who afterwards *incipit solem pariter*, and read in their schools, in the new place before-mentioned, in the parish of St. John. This Humphry was the first Carmelite who had leave to incept in the university¹.

In the year 1291, the canons of Sempringham first dwelt at St. Edmund's chapel, and applied themselves much to attending lectures and disputations.

The friars Hermits of St. Augustine having fixed upon a place in St. Edward's parish, for a perpetual settlement [*pro mansione perpetua*], came to a composition with the prior and convent of Barnwell, rectors of St. Edward's church, and William, vicar of the same, by way of recompence for the damages which might accrue to them, or their successors, upon account of the houses and soil taken and inhabited at present by the said friars Hermits in the parish of St. Edward aforesaid, in which the parishioners used formerly to dwell, who paid oblations and tithes real and personal to the said church, from all which the friars

¹ Gratiam incipiendi in universitate. L. IV. F. 80. C. 139.

Primo inhabitabant ad capellam S^{ti} Eadmundi et lectionibus audiend' et disputationibus multum insisterant. Lectiones et disputationes habebant dicti canones in locum.

Hermits aforefaid asserted that they had an exemption by authority of the apostolic see; and therefore agreed to pay to the prior and convent of Barnwell and their vicar 4s. *per ann.* (viz.) 2s. on Christmas-day, and 2s. on Easter, in the church of St. Edward; and they further agreed, that if they neglected the payment at the appointed time and place, that the bishop of Ely for the time being should compel them to pay, by proceeding to excommunicate them immediately upon their neglect, without the previous usual process of law. And they agreed to set aside their privileges on this account, and to be also obliged to make a competent satisfaction for all reasonable damages and charges, which the said rectors or vicar might sustain upon that account. They also agreed farther, that if the said friars should afterwards enlarge their habitation within the bounds of the said parish, that then the said rectors and vicar should have a farther yearly allowance in proportion to the enlargement; and this they bound themselves to in the same manner as aforefaid, *salvis privilegiis in omnibus aliis*. They agreed also, that the Heremites should admit none of the parishioners of St. Edward to receive the sacraments of the church, and that all their hired secular servants should receive the sacrament in St. Edward's church, make their oblations, and pay their tithes there. This agreement was made by Guido, official of Ely, in the conventual church of Barnwell, *die Lunæ proxima post festum sancti Martini*, 1290, and sealed with his seal, and the seal of the parties concerned, in presence of Master Galfrid de Pakenham, chancellor of the university of Cambridge, Master Hugh de Pagrave, and Henry Sampson, professors of civil law, and abundance of other witnesses¹.

In the beginning of the year 1290, dame Dionisia de Monte Caniso began to build a church, and many other apartments for

¹ L. IV. F. 81. C. 141. And see Baker's MSS. in Brit. Mus. vol. II. N° I.

the ufe of fifters of the order of the Minorites in her manor of Waterbeche. And in the courfe of the year [*anno revoluto*], *four fifters*, the firft four of which came thither from France about Afcenfion-day, planted there an abbefs and fifters, Minoreffes of the order of St. Clare. But Symon prior of the convent of Barnwell, reftors of the church of Waterbeche, and Conftantine, the perpetual vicar of the place, earneftly oppofed their fettlement there, alledging, that it would neceffarily be a prodigious damage to the mother church, viz. the parifh church of Waterbeche, and confequently to them and their fucceffors. For if they were fuffered to settle there, they would draw away all, or moft part, of the fmall tithes, as milk, calves, lambs, wool, the tithes of orchards, oblations, confeffions, and other things, belonging of common right to the faid church, and which had been constantly and quietly paid heretofore. After pretty warm difputes, they came to an accommodation, by the advice of Guido, official to William bifhop of Ely, and other friends, and all parties agreed to abide by the official's determination, by authentic writings ¹ under their refpective feals.

The abbefs's name, as appears by the writing aforefaid, was Johanna de Nyvernis. Thefe writings, or letters patent, bear date at Waterbeche, 3d of the ides of February, 1294. Upon which, the official examined and confidered the matter, to fee what advantage would accrue to the monaftery of the abbefs and fifters, by retaining thefe tithes, &c. for the future, and what damage and lofs it would be to the portion of the vicar of the place for the time being.

And, after a full and mature deliberation upon the matter, he appointed, that, for recompence of the fmall tithes,

¹ Which writings were called letters patent in the leiger-book of Barnwell, where they may be feen at length.

De incrementis animalium p priorem religiosorum et non aliorum, et ortis, fructibus arborum, vivariorum, et aliis minutis inclusis ibidem sepulturâ et oblacionibus de dñâ fundatrice et heredibus suis, suâ liberâ familiâ et aliis amicis nobilibus qui cum eis ibid' venerint et moram ibi fecerint cum eisdem abbatissa et sorores de Water Beche solvent perpetuo de bonis ejusdem manerii sui prædicti vicario de Water Beche, every year at two terms of the year, 22s. sterling in the parish church of Waterbeche, viz. 11s. at Easter, and 11s. at Michaelmas; and that the vicar shall demand nothing more upon the account aforesaid of any of the secular servants of the monastery, which are always employed in the same, to wit, as in the kitchen or cellar, and the like, and one steward of the manor, except they are of the parish of Waterbeche. The vicar shall take nothing for oblations or confessions without the abbess's consent. But as for their secular servants that are employed in any of their concerns out of the monastery, any where within the parish of Waterbeche, whether they are parishioners or strangers, they shall make the usual oblations to the mother church of Waterbeche, at least four times a year, and shall there receive the sacraments of the church; and if they die there, and ought to be buried any where else, *prima missa cum corpore presenti celebretur in ipsa ecclesia, et oblaciones morientis ibidem.* And that the bishop of Ely, or his official for the time being, shall have power at any time to compel the said abbess and sisters to pay the aforesaid annual rent of 22s. to the vicar in the form aforesaid, fairly and without contention, notwithstanding any privileges they either have now, or shall hereafter obtain. And he also determined, that it should not be lawful for the said abbess and sisters to protect nor defend, or suffer to be defended, their secular servants, *vel aliena animalia, seu eorum exitum in aliquo contra ordinationem predictâ.* But, that he might do no prejudice to the convent of Barnwell by his determination, he declared that they ought to receive and have all the tithes *garbarum et feni et pasturæ et aliis libere*

libere et plene sicut ante ; and for the better security of the parties concerned, he put the seal of his office to this his determination ; and the bishop of Ely, after he had been informed of the contents of it, caused his seal also to be affixed. This determination bears date at Waterbeche, *Die Veneris in festo sanctæ Scolasticæ virg. id est, quarto idus Februarii, anno D'ni 1294*. Witnesses, Sir William de Kyttetot, Sir William Touchet, knights, Masters John and Thomas de Redeswell, Henry de Pentelaros, friars John de S'to Eadmundo, Robert de Swapham, canons, and masters John Pikard, and Walter Saucage, chaplains to the bishops of Ely, with many more ¹.

The friars of St. Mary began to build in the parish of All Saints by the Castle, A. D. 129. . .

Sed *per jactum capilli* nunciabatur eis novum opus. Et fecerunt pacem pro indemnitate matris eccle pro di. marce ann', quam reddunt infirmario de Bernewelle ; unde facta est compositio, et sigillo Hugonis de Balesham Elyensis epi signata ².

In the year 1297, the brethren *de penitentia Jesu Christi* bought a principal messuage of John le Rus, which was opposite to the chapel of Saint Edmond. But as that messuage was of the fee of the canons of Barnwell, prior Jolan would not suffer them to take possession of it. Upon which, John le Rus came along with the said brethren to the prior, and with tears in their eyes begged his pardon, and that he would give them leave to take possession of their house. And upon John le Rus making an acknowledgement in writing, that he was to pay a yearly rent of 28s. 11d. to the convent of Barnwell for that house, and other houses in Cambridge, and lands in the field, and binding his water-mill in Milne-strate for the payment thereof, and for a fixed place where they might always distrain for the same, and to make a more authentic assurance and acknowledgement of the settlement before the justices itinerant which were then at Cambridge ; the prior consented to their admission.

¹ L. IV. E. 82, and 83. C. 142.

² Ibidem, C. 143.

These friars *de Sacco* gathered to them many good scholars, and multiplied so much that the pope decreed, *in the council of Lyons*, that they should from thenceforward receive no more into their order, except the friars preachers, Minorites, and Carmelites, and he gave them leave to enter into less strict [*laxiores*] religious orders if they would. And from that time they dwindled, and came to nothing, except only the friars preachers¹.

But the said John le Rus having sold the greatest part of his estate by parcels, died, and left what he had to his nephew, Hugh le Rus, who finding the mill very ruinous, and bound for a large rent, pulled it down, by the advice of Guy de Mortuo Mari, rector of the church of Kingstone, and carried away all the materials belonging to it to the said Guy's house, and laid it in his yard; and so the prior of Barnwell was deprived of the security which he had for his rent. Upon which, he sued the said Grey and Hugh, and had a verdict against them, and they were forced to give security for the said rent².

In the 18th year of Edward I. the 7th of the ides of July, about 9 in the morning the church of St. Mary at Cambridge was burnt, and many houses round it³.

In the year 1287, on St. Blase's day, the 3d of February, after sun-set, whilst the canons were singing compline there arose a very great tempest, and a terrible flash of lightning fell upon the cross, which was on the very top of the tower of the church, and presently the fire fell on the tower, *quod quasi poma aurea descendebant scintillæ in medio chori*, which very much frightened the canons. Going out after compline, they saw the sparks flying from off the cross. But several, both canons and seculars, going up to the top of the tower within it, could find

¹ L. IV. F. 83. C. 144.

² L. III. F. 59. C. 82, 83.

³ L. IV. F. 88. C. 162.

nothing amiss, and thought all was safe. But yet the fire kept burning upon the cross till it had consumed it down to
 But though it burnt there a great while, yet it burnt inwardly, and nothing appeared without, so that they hoped the fire was extinguished. But this being consumed, the iron that supported the weather-cock [*ventilogium*] fell down with the cross; and then the sparks began to fly about terribly, and set fire to the neighbouring houses at a great distance, as well as to those that were nearer, and at the same time the wind was so very high, and so cold, that it was almost impossible for the neighbours to assist one another. The fire raged and burnt all that night, and the day following, till sun-set. The fire which fell down from the tower of the church set fire to the choir, and did incredible damage, by breaking the boarding and the clock, melting the lead, and cracking the windows and bells, besides what the neighbourhood suffered¹.

After the fire, the convent were forced to perform divine service in St. Mary's chapel for above a year.

1287, a flash of lightning set fire to the belfrey of Barnwell abbey, and destroyed great part of the monastic buildings by its undistinguishing rage².

John de Kyrkebi, bishop of Ely, came upon a set day, at the request of some of the canons, to visit the priory; and having made a speech (as was usual) before the great altar, Symon the prior said to him, "My lord, here is nothing to be done." "Nay," saith the bishop, "if there is nothing to be done, I'll be gone." Then, turning his eyes towards the part that was burnt, "See," said he, "the footsteps appear;" and so went away in very great passion, and immediately excommunicated all the inhabitants.

¹ L. IV. F. 84. C. 146.

² Ignis fulmineus ex concussione tonitruï generalius campanarium monasterii de Barnwell juxta Cantabrigiam magnamque partem ædificiorum suorum indilcreto devoravit incendio, anno Dom. 1287. Tho. Wikes, p. 116. ed. Gale.

Ecclesia de Barnwell icu fulguris cremabatur. Ann. Wigorn. in Angl. Sac. J. 509.

He relaxed the sentence the next morning; but did not so soon lay aside his resentment against the prior and convent; for he used them ill, and opposed them in every thing. In the mean time, Robert de Hekitone, *sacrist* of the church, took infinite pains, exerting himself to the utmost to repair the church, and, by his exertion, almost completed it in two years ¹. Several said that the church ought to be re-consecrated, and others, that it ought to be only reconciled after the repairing. However, the prior left that to the bishop, and wrote a very submissive letter to him, to beg his pardon, and sent it by his subprior; upon reading whereof, the bishop could not refrain from tears, and forgave the debt ². Afterward, at their request, he came and reconciled the church with great solemnity, sprinkling holy water, with wine and ashes, thrice round the church within and without. He gave large sums for pious uses, and to the surrounding populace, and celebrated mass at the high altar of St. Giles, and granted 40 days indulgence ³. And after he had finished the whole ceremony, he went to his dinner at Ditton, and took no procurations. This reconciliation was performed on the first Sunday in Lent, *pridie non' Martii, anno 1288*; and the same John, bishop of Ely, was dead and buried before Easter ⁴.

William Longchamp, bishop of Ely, dedicated the conventual church of Barnwell to the honour of St. Andrew and St. Giles, in the 11th kal. Maii, 1191, and gave 40 days indulgence upon that occasion ⁵.

¹ Multum anhelabat et viriliter laboravit circa reparationem ecclesiæ, et consummavit fere infra biennium cum sollicitudine.

² Et debitum dimisit.

³ Aquam benedictam cum vino et cinere ter ecclesiam circuiens interius et ter exterius. Large dedit in pietatibus et populo circumstanti largissime in frontibus, et missam celebravit ad magnum altare de S^{to} Egidio, et indulgentiam 43 dierum concessit.

⁴ L. IV. F. 85. C. 147.

⁵ Ibidem, C. 148.

John [de Fontibus], bishop of Ely, dedicated the chapel of the Infirmary to the honour of St. Peter, in the time of prior Laurence, in the 6th year of king Henry Fitz John, 1222, the 6th of the nones of October; he granted five days indulgence upon this occasion, and therefore every year, upon the anniversary of the dedication, a solemn mass is celebrated in that chapel ¹.

The same bishop dedicated the chapel of St. Mary to the honour of the blessed Virgin and St. Edmund, king and martyr, in the time also of prior Laurence, anno 1229, upon St. Agnes' day, 12 kal. Jan. and allowed 40 days indulgence; and therefore every year, upon St. Agnes' day, the mass of dedication is celebrated, and upon St. Edmund's day 12 kal. Dec. the mass of the martyr is celebrated in that chapel ².

Master Robert de Fulburn, who died a year and three months before the burning of the church of Barnwell, was a very great benefactor to the convent. He forgave them 300 marks, which they had borrowed of him. He ordered that they should have the two horses which should carry his body to be buried there. He gave them abundance of silver cups and dishes, a very great collection of books, and several other things, so that it was computed that they had 500 marks by his death. Besides, he gave them a stone house, over against St. Sepulchre's church in Cambridge, to pay a perpetual chaplain to celebrate mass for him at the altar of St. Augustine every day ³.

Master Galfrid de Pakenham, chancellor of Cambridge, began to pave the streets of Cambridge, in the 19th year of Edward the First. In order to enable him to carry on that great work, the king gave his consent that he should take the tolls, &c. for six years ⁴.

Feria quinta in cena D'ni anno 1293, in the beginning of the year, William Luda, bishop of Ely, in *crastino Annunciationis*,

¹ L. IV. F. 85. C. 148.

² L. IV. F. 87. C. 149.

³ Ibidem, C. 153.

⁴ Ibidem, C. 154.

consecrated crism and oil in the church of Bernwell, and introduced the penitents, which is what had never been done by any bishop of Ely within the memory of man¹. And he also visited his whole diocese of Ely by himself, and by his official, which no other bishop of Ely ever did. On the same day, viz. Monday, at nine o'clock, king Edward left the castle of Cambridge, where he had lodged two nights and days; and it had not been known in the memory of man that any king had lain there before².

At the same time, the king's cofferer deposited 1000 pounds in the dormitory of Barnwell priory, against the coming of the king to Cambridge..

And the king's chancellor, Sir John de Lang, lay at the monastery during the king's stay at Cambridge, and for four or five days before his coming³.

In the year 1294, there was such a dearth in the land, that a bushel of wheat was worth 26d. as soon as harvest was in. The 4th day of July, all the coffers with treasure throughout England, as well in churches as any where else, were sealed up by the king's officers, for his use⁴. 17 kal. August, the king seized the priory of Barnwell, with all its appurtenances, into his hands, for the tenths of the bishop of Ely which were unpaid, which amounted to 925l. 11s. 7½d. The reason why the king seized the priory of Barnwell for the bishop's taxes was, because the prior of Barnwell was appointed by the king to collect the tenths of the temporalities in the bishoprick of Ely; but the bishop being remiss, and the prior unwilling to press him, the

¹ 1493. Feria 3tia in Coena Dñi 1493, incipiente in crastino seu annunt' Dñic', ven' pate. W. de Luda ep' Eliens' consecravit in eccles' de Bernwell crisma et oleum, et introduxit poenitentes. A tempore a quo extat memoria ep' Eliens' nunquam antea ibi talia fecit. Lib. Bernwell.

² L. IV. F. 78. C. 155, 156.

³ Ibidem.

⁴ Compare Annals of Dunstable under this year.

bishop of Bath, the king's treasurer, came to extremity, and arrested master Robert Hokitone, sacrist of Barnwell, sub-collector, and seized the priory for the king's use, as aforefaid, till the money should be paid; which when the bishop of Ely came to know, he paid the money into the exchequer, by the hands of master John, his chaplain, vicar of Tyrlington; and so acquitted the priory of Barnwell, and released the sub-collector; and the bishop himself had a discharge under the seal of the chapter of Barnwell, dated, *die Sabbati infra octav' Assumptionis beate Marie, anno 1294* ¹

In the year 1291, there was a new taxation made of all ecclesiastical and temporal estates, according to the true value, throughout all England, for the tenths granted to king Edward the First, for six years, by pope Nicholas. This tax was assessed and levied by John, bishop of Wynton, and Oliver, bishop of Lincoln. And they appointed master Govy de Coventre, official to the bishop of Ely, and master Ralph de Fordingeye, archdeacon of Ely, to be taxers of the spiritual revenues in the diocese of Ely. But they appointed master Richard de St. Frewyth, archdeacon of Bokingham, and master Robert Lutterel, canon of Sarum, to tax the temporals of the said diocese. These taxers began their perambulation in June, and in their taxation proceeded in a very different way from what was usual. They were over and above hard upon all religious persons. They would not believe them as to the valuation of their estate upon their credit; for they not only required the clergy as well as the laity to swear to the truth of their return; but also obliged the religious to deliver in the true value of their temporals in writing, under the seal of their chapter, and swear to the truth of it. And yet, after all, would tax just as they pleased, and in many places to double the real value.

¹ L. IV. F. 89. C. 162, 163, 164, 165. 167.

In this taxation the priory of Barnwell was taxed as follows,
as to its spiritualities.

In Decan' de Cestertone.	Value.	Tenths.
Prior de Bernwell, sci in Hokitone	2 m.	2s. 4d.
In Hiltone St. And.	40 s.	4s.
In Rumptone	46 s. 8d.	4s. 8d.
In Middeltone	5 m.	$\frac{1}{2}$ m.
In Land Beche	20 s.	2s.
In Cottenham	20 s.	2s.
Ecclia de Maddingle	17 m.	22s. 8d.
Ecclia de Waterbeche	20 m.	2 m.

In Decan' Canteb'.	Value.	Tenths.
Prior de Bernwell, in ecclia St. Edw'	1 m.	16d.
In ecclia St. Botulphi	4 m.	5s. 4d.
——— Omnium Sanctorum ad Castrum	7 m.	9s. 4d.
——— S ^{ti} Johannis	20 s.	2s.
——— S ^{ti} Egidii	10 m.	1 m.
In capella de Barnwell	20 s.	2s.

In Decan' de Scenegeye.	Value.	Tenths.
Ecclia de Gilden Mordon	45 m.	4 $\frac{1}{2}$
Ecclia de Craweden	20 m.	2 m.
Ecclia de Thadelarve	20 m.	2 m.

In Decan' de Brunne.	Value.	Tenths.
In Lolleworthe	15 s.	18d.
In Hunger hattele	5 s.	6d.
In Kingstone	40 s.	4s.
In Tofte	40 s.	4s.
Ecclia de Brunne	42 m.	56s.
Ecclia de Caldecote	12 m.	16s.

In Decan' de Bertone.	Value.	Tenths.
Prior de Barnwell in Bertone	4 s.	5d.
In Cotes	4 s.	5d.
In Haselingfeld	24 s.	2 s. 5d.
In Wynepol	10 s.	12d.
In Trumpitone	2 m.	2s. 4d.
Ecclia de Combertone	30 m.	3 m.
Ecclia de Harlestone	20 m.	2 m.

In Decan' de Caumpis.	Value.	Tenths.
In Stowe	40 s.	4s.
In Swaffham Monalium	15 s.	8d.
In Pampewithe	20 s.	2 s.
Ecclia Hinxton	20 m.	1 m.

Bona Temporalia Prioris de Barnwell, in dioc' Elyenf'.
secundum verum valorem.

	<i>l.</i>	<i>s.</i>	<i>d.</i>		<i>l.</i>	<i>s.</i>	<i>d.</i>
In Barnwell et Cant'	48	11	8½	In Pinecote	2	11	6
In Bertone	13	16	8	In Hokitone	1	1	4
In Cumbertone	41	6	0	In Stanton St. Michael	0	1	0
In Cestertone	58	3	2	In Impetone	2	17	0
De quibus solvunt				In Land Beche	4	2	6
regi p ann'	41	0	0	In Gretton	0	5	6
Sic remanent de-				In Herdwyc	0	10	10
cimbles	17	3	2	In Kingstone	0	17	0
In Maddingle	19	14	4	In Eversdone	0	10	6
In Draytone	4	4	3	In Wytlesford	1	0	0
In Brunne	19	12	8	In Stowe	0	9	7
In Toft	9	7	2	In Crawdone	0	18	0
In Caldecote	2	8	10	In Thadelowe	2	17	11
In Feverisham	0	3	3	In Cotenham	0	6	8
In Wynepol	1	2	0	In Ramptone	0	6	0
In Harlestone	0	14	0	In Barentone	0	1	0
In Haselingfeld	0	4	0	In Barnedistone	0	3	0
In Wyvelingham	0	1	0	In Rifeby	0	0	4
In Trumpiton	0	13	0	In Chavele and Scheperey	1	1	6
In Meldeburne	0	3	0	In Howes	0	6	6
In Wytlesford	0	1	2				
In Dokeword	0	2	6	Summa Summarum.	177	9	8
				The tenths of which are.	17	15	0

It was said, that king Edward desired this tax but for three years only ; but pope Nicholas, who was of the order of the Minorites, gave him the tenth both of the Temporalities and Spiritualities for six years, and yet that pope died in three years.

PRIORS OF BARNWELL.

1. GALFRIDUS. He was canon of Huntington, and taken from thence to govern the canons of Cambridge near the Castle; by the consent of Anselm, archbishop of Canterbury, and Remigius, bishop of Lincoln. He was a man of great holiness and piety, and governed that church 20 years; and after their translation to Barnwell, he died at a very great age, and was buried at the entrance to the chapel of the Blessed Virgin.

2. GERARD succeeded him¹. The chief thing, as far as I can find, that recommended him to the good liking of Payn Peverel, their patron, was, that he was a very chearful and merry companion. In his days many apartments were built and many lands bought [*fiabant officinae, multae terrae acquisitae*]; and he carried on the church with great diligence, which was of wonderful bigness, and extended itself (as it was designed) into the High-street, by the assistance of Payn Peverell. He also built the dormitory. But, after the death of Payn Peverell, his son William was not so zealous to promote the work. But, going into the Holy Land, he quickly died there, and so the church lay unfinished all the time of Gerard, and also of Richard Noel and Hugh Domesman, his successors.

3. RICHARD NOEL came next, a religious, but a weak and faint-hearted man, and unfit for government. After two years, he voluntarily resigned his post, took a formal leave of the brethren, went into France, and was never heard of more.

4. HUGH DOMESMAN, a canon, was made prior in his room, a very liberal man, very loving, and much beloved among the brethren. He was so very affable and courteous, that some blamed him, and accused him of folly, as acting beneath the dignity of a governor. He had a very large patrimony by the

¹ About 1143.

death of his parents ¹; seven score acres of land in the fields, and a great many houses in the town of Cambridge: he also purchased two hydes of land in Maddingley; all which he gave to the common use of the brethren. He recovered the church of *Wenden* ², which had been lost by the negligence of his predecessors; and, after having been prior 20 years, he died of a consumption.

5. ROBERT, for his goodness surnamed *Joel*, succeeded to this priorate. He was a canon of unheard-of austerity; most severe in chiding, and harsh in reprimanding. He wholly restrained the irregular, and reduced the erroneous, and obliged all to keep within the bounds of order and government. Besides, he not only advised, commanded, and reproved, but he also set them a bright example himself. He was very constant and very devout in every part of divine service. As he was very eminent in the practice of every virtue, so he was most remarkable for his chastity and charity. Sometimes indeed his zeal made him so severe in inflicting punishments, that some have thought him cruel; but he was a man truly venerable and praise-worthy. Having prevailed upon a famous knight, one Everard de Beche ³, to give him both assistance and advice for the building of offices and the church, he took up the very foundations of that prodigious church which had been begun by Payn Peverel, and built a more decent and commodious one in its stead, had it dedicated, and then richly adorned it.

¹ His father was Osbern Domesman. Lib. de prioribus Barnewell, in Mon. Ang. II. 33.

² Wendon, in Essex. See Newcourt, II. 648. Morant, II. 592.

³ F. 23. To the memory of this Everard de Beche was this inscription on the base of a cross in the high road on the west side of Barnwell:

Quisquis es, Evrardi memor esto Bechenfis, et ora

Liber ut ad requiem transeat absque mora.

Lib. de prioribus supra cit. in Mon. Ang. II. 33.

At his earnest importunity, William bishop of Ely granted to the use of the brethren the churches of Beche, Caldecote, and St. Giles's in Cambridge, which had been either negligently lost, or unjustly taken away; and he confirmed them to them by a writing. He assigned the church of St. Giles in Cambridge for curing the sick brethren, and for bleeding those in health [*nec non sanis minuendis*]. He annexed three marks yearly salary to the office of precentor.

At last, being grown old, and worn out with sickness, he voluntarily resigned his priorate, after he had held it 33 years; and lived three years afterwards, and then died, and was buried before the great cross in the church which he had built. Everard de Beche, by whose assistance he had perfected that work, was buried on the south-side over-against Payn Peverel, as the best friend of that church, next to him.

6. WILLIAM DEVONIENSIS succeeded Robert, as prior, but, by reason of the shortness of his life, could do no great matters. Besides, in his time, the whole kingdom of England was under a general interdict, which brought him a great deal of daily trouble and sorrow; for though he was the governor, yet he could not carry on the affairs of his church according to his wishes. He died 8 cal. Jan. anno Domini 1213, that is, in the 6th year of the interdict, and was buried in the south cloyster, near the door of the church [*juxta hostium ecclesiæ*] on the west side ¹.

7. WILLIAM DE BEDEFORD, sacrist, was elected into the priorate on the 10th of the kalends of November, after a vacancy of about five months. It is said, that he went but once into the Chapter-house after his installation; for he died in a few days, and was buried on the north-side within the chapter-house ².

¹ F. 23.

² Ibidem.

8. RICHARD DE BURGH succeeded him, but died in a very little time, and was buried near his predeceffor.

9. LAWRENCE DE STANESFELD, though a young man, was unanimously chosen upon the death of Richard de Burgh. He had been chaplain to the three preceding priors, and was a man of excellent morals, but no great scholar; though it is said he had written several books, as particularly "The Sufferings of the Saints," in three volumes, which was wont to be read when the convent were at table. He loved regular discipline, and was very exemplary. When he was so old that he could not walk, he would be carried by his servants to the entrance of the choir, and from thence, with much difficulty, would go into his stall, that he might shew a good example to those who were under his care. In his time the interdict was relaxed; John abbot of Fountains being made bishop of Ely. This prior Laurence built the refectory, the infirmary, the great hall [*hospitium*], a granary, bakehouse, brewhouse, stable for horses, the inward and outward gate, and the walls new almost to the top [*ad summum*]. He also built the chapel of St. Edmund, and covered it with lead; he made also very beautiful rails to our outer churches, and very excellent barns¹. He found three carucates when he was elected prior, and at his death he left thirteen. He did also a great many other good things by God's blessing, and the people's plentiful assistance; for the friars did not then, as now, go begging about². He died in a great age, and was honourably buried on the right hand of the entrance into the chapel of St. Mary, and covered with a marble stone *cum agno*³, *anno prioratus fui* 38.

¹ Cancellæ etiam ad ecclesias nostras exteriores pulchra fecit et honesta, et horrea valde bona.

² Non enim tunc sicut nunc erant fratres circumquaque mendicantes.

³ Does this mean that a *lamb* was carved on the stone?

10. HENRY DE EYA succeeded him about 1255; a man of a strong, robust body, and of good morals. This man was many years chamberlain, to the great satisfaction of his companions: he planted a good orchard with his own hands; he also planted a vineyard, and had some years a great deal of fruit. Afterwards being made sub-prior, he was elected prior upon the death of Laurence; in which post he was very uneasy, because he perceived their goods to waste, and debts to increase. The order of Mendicants a few years before had taken root in large bodies, and had got the burials of the rich and their legacies and alms by their insinuating speeches, which before their arrival were no small profit to the conventual church of Barnwell. But considering his own incapacity and excessive debts of the convent, he resigned his priorship into the hands of the official of Canterbury (the see of Ely being then vacant) in the third year of his priorate, unknown to the convent. He had, however, afterwards a chamber allotted him in the infirmary, in which he lay and eat, and one of the canons was appointed to bear him company, and to wait upon him. He had also an allowance out of the cellar and kitchen, and treasury, equal to what two canons used to have; for his boy [*ad garcionem suum*] he received nothing out of either, and yet he frequently and cheerfully invited and treated the brethren of the convent; but his chief business was prayers and alms. He died when he had resigned near 14 years, and was buried in the great church between two pillars before the lesser cross.

11. JOLAN DE THORLEYE¹ came after him into the priorate. He was indeed a very little man, but of a very commendable understanding and prudence, and well versed in the civil law. He found his church cruelly oppressed with a debt of no less than 600 marks, which he endeavoured all he could to get cleared.

¹ JOHN de SHOTLEY, Willis. He was chosen about 1256, and resigned 1266.

He

He received in time 200 marks of the executors of William Kilkenni, bishop of Ely, for which he obliged his church to find two chaplains for ever, which should be students in Cambridge, to say mass for the soul of the said bishop Kilkenni. And these two chaplains were to receive 10 marks yearly out of the chamber de Barnwell for ever. But that that payment might not seem to be burthenfome to the fraternity, he obtained afterwards the church of All Saints by the castle in Cambridge, from Hugh de Balfham, bishop of Ely, by the resignation of master Adam Buden, for the proper use of the convent, out of which their *infirmarius* was to answer 10 marks to the said chaplains. He was so very careful of the temporal affairs of the monastery, that in time he not only cleared their debts, but also raised the number of canons to 30, as they were at first intended; and also purchased some lands in Maddingley and Berton by little parcels. He built a handsome apartment and chapel for himself. He new built part of the cloister [*pannellum claustrum*] towards the west, and would have done more; but that the wars which preceded the battle of Lewes did him much damage; for he had 13 very good horses, and their harness, seized at Wygenhall. And not long after, the islanders came out and burnt his barns at Brunne, with all the corn of three carucates, and of the church¹. And some of the islanders also conspired his death, upon account of Sir Walter de Cotenham, who was taken by the king's officers, and hanged. Upon this, he fled to the abbey of Waltham, where he was honourably received and entertained². These afflictions brought such a weakness upon him, that in a

¹ See before, p. 26—28.

² John de Burgh, senior, lord of the manor that formerly belonged to Robert Tiptote (Tiptoft) in Harleston, was very inveterate against this prior. *Lea. Coll. J.* 629. *ex registro Bernewell.*

William de St. Omer, the king's justiciary, stayed a while at Barnwell to inquire into the ill behaviour of the islanders.

little time he resigned ¹ into the hands of the bishop of Ely. He afterwards recovered his indisposition, and was very much in favour with the bishop of Ely. After his resignation, he finished the greater part of the Chapter-house, and two parts of the cloister [*duos panellos clauſtri*], and would have done more, if he had been let alone; but John de Parham, archbishop of Canterbury, visited the priory of Barnwell, in the 16th year after his resignation, and took away from the said Jolan his former provision, and the house where he dwelt, and assigned him one chamber in the infirmary, and the common allowance of meat and drink, and 100 shillings *per ann.* to be paid out of the common purse, by reason of his infirmities. And after two years, he died, and was buried in the floor before the altar of Thomas the martyr.

12. Master SYMON DE ASCELLIS came after him, a man eminent for learning and eloquence. While he wore the secular habit, he took a capital degree in arts at Oxford, and was afterwards made professor of civil law in Cambridge ². He was well known, and much respected amongst the nobility. He took the habit of a canon regular in a fit of sickness, after which he continued in, and proceeded according to the stated rules of the house, and in every station behaved himself so agreeably and to the good liking of the whole society, that, upon Jolan's resignation, they thought him the properest person to be their prior, and

¹ 1266, Willis.

Jolanus, prior of Barnwell, being robbed at Wygenhale, in the county of Norfolk, by the servants of Sir Wm. Bardulf, fled to the abbey of Dereham; but the son and heir of Wm. Bardulf favoured the canons of Barnwell.

1237. Part of the church of Barnwell was burnt, and Robert de Fulburne was a great benefactor to Barnwell abbey, for whom a canon celebrates mass.

MS. note Kennet, in *Monast. Angl.* l. c.

² *Tempore restandi erat negotiorum crucis Christi executor et vacante sede ex parte regis custos archiepatus Eborac'*. We give this in the words of the transcriber.
accordingly

accordingly they unanimously chose him into that high station.. Hugh de Balsam, bishop of Ely, was very well pleased with this promotion of master Symon, who was at the same time his official, and gladly confirmed him prior.

It is remarkable, that he took the habit upon the day of the translation of St. Augustin, viz. 11th of October; and on the same day, ten years after, he was chosen prior, and installed on St. Luke's day by the archdeacon of Ely.

Prior Symon was apprehended, with several others, in the 22d year of king Edward I. upon suspicion of being concerned in the plot against the government, upon the information of John Lewyn, a canon of Barnwell; but the prior, and all the rest, were acquitted, excepting William Wlwy and Robert Meffow, who was found guilty.

He continued prior something better than 30 years, and then, being in a manner worn out by old age, he resigned his priorship, and had a competent provision assigned him. He resigned into the hands of the bishop of Ely about the Feast of St. John Baptist, anno 1297, and died before that year was expired, and was buried in the floor before the altar of St. Katherine, in an honourable manner, by his successor BENEDICT de WELTON, 13th prior of this church, elected 13 July, 1297, with whom the register ends ¹.

25 Ed. I. [1297] 20 June. Licence to elect a prior of Barnwell on the resignation of Simon de Ascell. The king consented to the election of Benedict de Welton, June 26. The temporalities were restored July 3.

9. Ed. II. [1316] The king being advised of the cession of Benedict de Welton, prior of St. Giles, Barnwell, granted licence to elect.

¹ Fuller in his History of Cambridge mentions one *Thomas* to have been prior in 1235; but this seems a mistake, for if there was any such prior, I judge it was rather 1325, or 1335. Willis.

Dec. 3, FULK, elected prior of the church of St. Giles, Barnwell, had a pardon for his transgression in presenting his election for confirmation to the bishop of Ely before the king had given his consent, and the king required that within a month letters patent from the king should be procured for this purpose. For this favour, the prior charged himself before the king in the celebration of 7 solemn masses within the year in this church for the prosperous state of the king and realm, and the temporalities were restored to him.

Fulco occurs prior of Barnwell, 28 Sept. 8 Edward II. 1324¹.

3 Ed. III. [1330] 23 Jan. Licence to elect a prior of Barnwell on the death of Fulk.

4 Ed. III. Feb. 9. The king consented to the election of brother JOHN DE QUYE, or, as some read it, OXNEY², canon of Ely, prior of Barnwell. The temporalities were restored March 22.

1345, 3 non Apr. licence to elect JOHN de BRUNNE, prior, on the death of John de Queye, and John de Brunne was elected 10 kal. Dec. 1340³.

23 Ed. III. [1350] 1 Jul. Alan, prior of Ely, confirmed the election of brother RALPH de NORTON or NORTHAMPTON, prior of Barnwell, and the king restored the temporalities.

In September 1388, Richard II. came to the priory and held a parliament there, which by all authors is said to be held at Cambridge; and indeed so it was, for Barnwell is a parish in Cambridge. Here it was, that the said king delivered all

¹ Statutes of Michael House, penes Trin. coll. Camb.

² 1345, 18 kal. Jan. mortuo Jo. de-Oxney, priore Barnewelle, elegitur John de Brunne. Bishop of Ely's Register.

³ Obiit John de Queye, et electus John de Brunne, 10 kal. Dec. 1345.

John de Brunne occurs in the bishop of Ely's Register, 1345, 1346. 1348. Sept. 9. p. 3. Lisle.

1345, 4 non Jan. licentia Joh' de Brunne, priori, celebrandi divina in oratoriis suis infra maneria sua et rectoriis sibi appropri' in dioc' El', &c.

the temporalities of the bishopric of Ely to John Fordham, whom he had preferred to that see, vacant by the translation of Thomas de Arundel to York. Fordham was much in favour with Richard II. who had made him lord treasurer, Jan. 17, 1586, but removed him from that office at the instance of the parliament in October following. Pope Urban XVII. translated him to Ely, which was considered as a sort of degradation, but he was forced to accept it, having received the pope's bull, Sept. 27, 1388, at Huntingdon, in his way to attend the parliament at Cambridge. The same day he made his profession of obedience to the see of Rome in the choir or chancel of the conventual church of Barnwell, before archbishop Courtney, who was commissioned to receive it ¹.

The nation was in too great a ferment for the king to grant the petition of the commons that he would call another parliament the same year, 1388; but he summoned one to meet after Candlemas-day following, at Cambridge ², where his person was more secure than at London. The minds of men were by this time so well settled, that, by a general concurrence of the members of both houses, several good laws were enacted for the public good. The commons likewise granted half a fifteenth, and the clergy half a tenth, for the war with Scotland ³. They met *in crastino nativitatis B. V.* 1399 ⁴.

In this parliament diverse statutes were ordained; as, for the limiting of servants wages, punishment of vagrants, inhibiting certain persons to wear weapons, debarring unlawful games, maintenance of shooting with the long bow, removing the staple of wool from Middleburgh to Calais, for labourers not to be received but where they are inhabiting, except with licence under

¹ Bentham's Ely, p. 166. ex registro Fordham.

² There is only the writ for summoning the prebts to this parliament at Cambridge, dated from Oxford, July 10, in Cotton's Abridgement. Parliamentary Hist. I. 441.

³ Carte, II. 529.

⁴ Knyghton, c. 2723.

the seal of the hundred where they dwell. There was also an act made that none should go forth out of the realm to purchase any benefice with or without cure, except by licence obtained of the king; and if they did contrary thereto, they were to be excluded out of the king's protection. All these are printed at large in French, in Knighton, c. 2729. In this parliament, John Holland the king's maternal brother was created earl of Huntingdon ¹.

During the sitting of this parliament, Sir Thomas Trivet riding towards Barnwell with the king, who lodged there, spurring his horse too much, the horse fell with him so violently to the ground, that his entrails were so burst and perished within him, that he died next day. Many rejoiced at his death, he being esteemed a proud man, as well as suspected of unfair dealings with the bishop of Norwich in his journey into Flanders. But the chief reason of his being hated was, because he stood by the king against the lords, and counselled him the year before to dispatch them out of the way ².

Bishop Fordham appointed Jan. 2, 1388, the prior and convent of Ely to receive the first moiety of tenths granted by the clergy in the priory of Canterbury, provided the king was obliged to go out of the kingdom in person for the defence of the realm and church of England ³.

1420, March 8, he ordained deacon John Gar, of York, M. A. by letters demissory, *ad titulum* prior et conv. de Bernewelle ⁴.

In the return of all the patrons and valuation of livings in Ely diocese to bishop Fordham, 1402, is the following certificate of John — prior of Barnwell, and his convent, dated 8 kal', August that year ⁵.

¹ Vita R. II. p. 106.

² Walsingham, 335 Hollinshed, II. 465.

³ Regist. Fordham, fol. 5. a.

⁴ Ibid. fol. 108. b.

⁵ Ibid. fol. 136. b.

Vicaria {	S ^t i Edwardi, Cantebr', Elien' dioc', val'	x m.
	S ^t i Sepulchri, ejusd' dioc',	cs.
	Meiddyngle, ejusd' dioc',	cs.
	Cumberton, ejusd' dioc',	viii .m
	Caldecot, ejusd' dioc',	cs.
	Brunne, ejusd' dioc',	x li.
	Crawden, ejusd' dioc',	cs.
	Tadelowe, ejusd' dioc',	cs.
	Morden, ejusd' dioc',	x li.
	Hynxton, ejusd' dioc',	cs.
	Harleston, ejusd' dioc',	xm.
	Waterbeche, ejusd' dioc',	xm.
	Wenden, Lond' dioc',	xs.

RALPH de NORTON presented to Waterbeche, 1389 ¹.

JOHN BARNEWELL, 1392, to July 23, 1408 ².

In 1397 he was summoned to convocation ³; again, 1402 ⁴; 1406 ⁵; 23 July 1408 ⁶.

WILLIAM DOWNE, Jan. 14, 1408 ⁷.

JOHN POKET, 1444, died Aug. 28, 1464, succentor, 1464 ⁸.

In his time there was a fire at Chesterton ⁹.

¹ Reg. Fordham.

² 1392. Ep^{us} concessit fratri Joh' de Bernwell, priori ecclⁱe conventualis de Bernwell, licentiam audiendi divina in oratoriis five capellis suis infra maneria sua quacunque infra nostra dioc' existentia, adeo ut non sit ad nocumentum ecclesiarum parochialium. Ibid.

1392. Ep^{us} concessit priori et conventui licenc' dimittendi fructus ecclesiarum suarum ad firmam ad bene placitum dñi. Bishop of Ely's Register.

³ Reg. Fordham, f. 108. a.

⁴ Ibid. f. 134. b.

⁵ Ibid. f. 148.

⁶ Ibid.

⁷ He was summoned to convocation, Jan. 14, 1408. Reg. Fordham, f. 171. b.

1402, the bishop directed his letters to John Judde his official, and to Edm. Totington sacrist of Ely, empowering them to hear and take cognizance of the crimes objected against Robert de Huntynghon, a canon of Barnwell; to free him if he be found innocent; and if he appear guilty, *de criminibus vero si convictus fuerit, in perpetuam carcerem mancipandus*, &c. Bishop of Ely's Register.

Nov. 15, 1403, Edmund Totington, returned answer, that he sat in judgement on it in the cathedral church of Ely, and that nobody appeared against him. Ibid.

⁸ Reg. Grey, ep. El. fol. 142. See his election in Appendix. N^o I.

⁹ A. D. 1463. Incendium apud Chesterton. Baker's MSS.

JOHN WHADDON, vicar of Waterbeche, elected Sept. 24, 1464, resigned Nov. 10, 1474 ¹.

WILLIAM TEBALD, or THIBAUD, elected Nov. 26, 1474. He was canon 1454 ², and sub-prior the same year, and till 1474 ³.

JOHN LEVERINGTON, præcentor 1474, chosen 1489 ⁴, was prior of Barnwell, 8 Henry VII. [1517] as appears by an old indenture made upon the exchange of three roods of land with Michael House in Cambridge ⁵.

8 Henry VIII. WILLIAM RAYSON, alias CAMBRIGGE, occurs prior of Barnwell, and also 19 Henry VII.

THOMAS CAMBRIDGE, alias RAWLYN, was prior of Barnwell, Jan. 20, 14 Henry VIII. [1523] as appears by an old arbitration between him and the Master of King's Hall, concerning the tythe of a certain close called the Sale on the right-hand beyond the Castle in the way to Chesterton ⁶.

¹ He was summoned to convocation in 1452, Règ. Bourgchier, fol. 39, 1444. Ib. f. 64. 1460. 1462, 1463. Reg. Gray, sub annis, 1468. 1470, 1471, 1472. Ib. He was president at Bishop Gray's Installation.

² See Register sub anno. Reg. Gray, ep. El. fol. 157. b. See his election in Appendix, N° II.

³ Computus de Bernewell. At this time, Thomas Gates was cellarer; John Wisbich, granator and cellerar; Richard Fulburne, sacrist; Tho. Bernard; Tho. Foke, præcentor; Nic. Cagge; John Soham, coquinarius; John Puket, succentor; John Cambridge; John Resham; In 1474, William Tibald was sub-prior; Nic. Cagge; William Bowman; William Massëy; John Leverington, præcentor; John Trough, sacrist; Robert Saham. He was summoned to convocation in 1474. Reg. Gray.

⁴ 1489. Johes epus Eliens', archidiaconus Eliens', &c. salutem. Cum nos frater Johes Leverington, canonicum monasterii seu prioratus de Bernwell ordinis Sancti Augustini in priorem ejusdem monasterii electum auctoritate nostra ordinaria confirmavimus, vobis mandamus quatenus dictum Johem Leverington inducatis, &c. Dat' Sep' 1, 1489. Extract' e reg' vet' Eliens' voc' le Black Book.

Installatus fuit Sept. 3. 1489. Solut' pro installatione sua 3l. &c.

He assisted at the installation of Morton, bishop of Ely, Aug. 29, 1479, and sat at his right hand at his public dinner *at the high lees*. Bentham's History of Ely, p. 179. Appendix, p. 26 *.

⁵ Penes Trin. coll. ibidem. Reg. ep. Eliens. 1514. 1517.

⁶ Ex antiq. indent. penes Trin. coll.

NICHOLAS SMITH, not coming into Henry VIII's measures, was forced to resign his priory, 1534, as appears by the following record, which, being a large and early stretch of the supremacy, is inserted here from bishop Goodrich of Ely's register from Browne Willis, p. 4.

Henricus Octavus, Dei gratia, Angliæ et Franciæ rex, fidei defensor, dominus Hiberniæ, ac totius ecclesiæ Angl' tunc synodi tunc parlamenti auctoritate supremum caput, reverendo in Christo patri Thomæ permissione divina Eliensi episcopo salutem: Sciatis quod electionem nuper factam in monasterio sive prioratu nostro de Barnwell, vestræ dioc', per liberam resignationem domini Nicholai Smith, ultimi prioris loci illius, in manus nostras factâ et auctoritate nostram admittâ vacari de provido et defereto verò domino Johanne Badcock, dicti loci canonico in priorem loci illius regium assensum adhibuimus et favorem. Quocirca vobis, tenore presentium, mandamus quatinus electionem hujusmodi auctoritate vestra ordinarie in forma debiter confirmare, ratificare et comprobare velitis cum favore: alioquin vestra precedente negligentia defectum vestram nos uti supremum caput ecclesiæ prædictæ auctoritate nostra supplere curabimus. In cujus rei testimonium has literas nostras fieri fecimus patentes. Teste meipso apud Westm', Nov. 24, anno regni vicefimo sexto. Per breve de privato sigillo, et de data predicta, auctoritate parlamenti.

CRUMWELL.

By virtue of which patent, JOHN BADCOCK being constituted prior, and presented Nov. 24, 1534, continued till the dissolution, when yielding up his convent, Nov. 8, 1589, with 6 of his monks, he obtained a pension of 6*l.* *per ann.* which he enjoyed 1551, as did his predecessor Smith a pension of 20*l.* *per ann.* when there was likewise paid in annuities 8*l.* out of the revenues of the late convent, besides the following pensions to Richard Arnham 6*l.* 6*s.* 8*d.* Robert Wyse 5*l.* 6*s.* 8*d.* Edward Balle 5*l.* 6*s.* 8*d.* ¹

This

¹ 1 Mary. Inter annuitates et pensiones exeunt' de diversis nuper monasteriis et prioratibus in com' Cant', prout in computo Johis Ayre, arm', auditoris ibm, de anno primo reginæ Mariæ, patet:

Barnwell

This prior Badcock, after the dissolution of his monastery, and the death of John Lacy and his wife (who had taken a lease of the lands and tithes belonging to the said dissolved abbey in the fields of Cambridge and Barnwell, of king Henry VIII.) took the same lease, and farmed the said tithes and lands, as appears above.

He was the last prior of Barnwell, and died about the 2d of queen Elizabeth, as appears by depositions taken upon a chancery suit for Great St. Mary's tithes between Trinity College and Worthington ¹.

The installation of the prior of Barnwell was reserved to the archdeacon of Ely ².

By agreement between the bishop and prior of Ely, 1417, the sub-prior of Ely was to come to the yearly synod of the diocese held in the priory ³.

To this priory belonged in Ely diocese in the county of Cambridge the vicarages of

Comberton.

Harlestone.

Bourne.

Barnwell nuper monast'.	Annuitates	Roberti Warmington, per ann'	40s.
		William Cook, per ann'	20s.
		Gregory Richardson, per ann'	53s. 4d.
		Lodov' Walter, per ann.	26s. 8d.
		Rog. Cholmeley, intis, per ann.	20s.
		Summa 8l.	
	Pencoes	Ivonis Badcock, per ann.	60l.
		Nich. Smith, per ann.	20l.
		Roberti Wyfe, per ann.	106s. 8d.
		Richard Arnham, per ann.	6l. 6s. 8d.
		Edward Ball, per ann.	106s. 8d.
	Summa ^{xx} _{lii} xvi l.		

¹ Penes Trin. coll.

² Bentham's Ely, p. 270.

³ Ibid. Appendix, p. 28 *.

Caldecote.

Caldecote.

Hinxton.

Stow St. Mary with *Qui* curacy ¹.

St. Andrew's *Barnwell* curacy, or the lesser parish of St. Andrew in *Cambridge*.

St. Giles in *Cambridge*, united with St. Peter's by the Castle, a curacy.

St. Edward's rectory in *Cambridge* was appropriated to this priory, and a vicarage endowed, to which they presented from 1346 to 1445, when they granted it with that of the new dissolved church of St. John Zachary, to the king ².

The prior presented to St. Sepulchre's vicarage, 1396 and 1406 ³.

Crawden ⁴.

Kingston ⁵.

Madingley.

Melton alias *Midleton*.

¹ They had the churches of St. John and St. Edward in Cambridge, till at the desire of king Henry VI. they made them over to Trinity College, in exchange for which he gave them Stowe *Qui*, which the provost and fellows of King's College, Cambridge, had given to the king, 35 Henry VI. Blomfield Coll. Cantab. p. 237. The instrument of appropriation, printed in the Appendix, N^o III. sets forth, that the pulling down the houses to build King's College had reduced their revenues.

² Blomf. Coll. Cantab. p. 85.

³ Blomf. ib. p. 79.

After the order of Knights Templars was dissolved, 1313, the advowson of St. Sepulchre's church was given to the priory of Barnwell, at which time I apprehend the church was raised a story higher for the reception of bells, and the chancel was then added and dedicated to St. Andrew, the patron of Barnwell priory, in which the presentation continued until that house was dissolved by Henry VIII. Mr. Essex, in *Archæologia*, vol. VI. 176.

⁴ They presented to it 1389. Reg. Fordham.

⁵ Pr. Barnwell patronus erat eccl' S^ci Johis et S^ci Edwardi in Camb', quas concessit Coll' sive Aulæ Sanctæ Trinitatis, an. 1444, ideoque iidem appropriata est eccl'a de Kyngston. See the Appropriation of the church, Appendix, N^o IV.

Waterbeach.

Gilden Morden.

Tadlow.

In Effex.

Wendon magna vicarage.

See a list of the churches belonging to this priory in Ely diocese, Appendix, N^o V.

In 1402 John Bernwell, prior of Barnwell, certified that the patronage of his priory was *Bytton* rectory in Lincoln diocese ¹.

The poor state of the priory is represented in order to get appropriations, of the church of *Kyngston*, 1446, and that of *Stow Quoy*, 1478. Of the former, see Pat. 16 H. VI. p. 1. m. 17. Pat. 24 H. VI. p. 1. m. 2. 24. and 28. and of the latter, Pat. 35 H. VI. p. 2. m. 4. and 7.

It appears from a decree of the court of Augmentations, that the vicar of Hinxton, in the county of Cambridge, and his predecessors, have enjoyed one annual pension of 40s. payable out of the possessions of the late priory of Barnwell, in the said county, now dissolved; and it was ordained and decreed by the chancellor of the court of Augmentations the 9th of February, 34 Henry VIII. that the now vicar of Hynxton shall have and enjoy the said annual pension, to be yearly paid by the hands of the bayliffs, or receiver of the issues, revenues, and profits of the said late priory.

The rectory of *Landbeach* was appropriated to them by William Longchamp, bishop of Ely, and confirmed by his successor, Eustace, about 1200. The prior's portion was taxed at 11. and the goods at 4l. 2s. 6d. 1290 ².

The college of Corpus Christi purchased the manor with the advowson of the rectory, 33 Ed. III. ³

¹ Blomf. Coll. Cantab. p. 170.

² History of Corpus Christi coll. Append. 20.

³ Ibid. 22—24.

Licence to grant the advowson of St. Botulph's church in Cambridge to the master and scholars of Corpus Christi College for 4 marks rent in Cambridge. Cart. 18 E. III. n. 4. Pat. 27 E. III. p. 2. m. 9. The prior and convent of Barnwell had been possessors of this rectory from the time of Eustace, bishop of Ely, 1197, who appropriated it to that convent, reserving only a stipend to the vicar, and were in 1353 empowered to transfer all their right therein to Corpus Christi College, by licence from the bishop, on condition they paid them 4 marks annually for the same, which payment was made regularly till the mastership of Botwright, 1450; when, on an omission of 4 years, a warm contest arose betwixt them, which was at length agreed to be referred to John Fray, chief baron of the Exchequer, William Lichfield, and Gilbert Worthington, clerks, who, after inspecting their writings, determined the payment should be continued, and that the convent should deliver up to them all their evidences relating thereto, and assist them as much as possible in getting it appropriated to the college. However, instead of this, the college were advised to buy off this pension, which they did for 100 marks, 1459, and sold the advowson to Queen's college for 80, reserving to themselves only the liberty of making use of this church as often as they should have occasion, and as they were obliged to do by statute. The Hall of the Annunciation had procured the patronage of this church for this college, 1553, in exchange for some lands which bishop Bateman wanted, to finish Gonville's foundation of his college: the bishop dying the next year, his college refused to consent; but the dispute was terminated by their agreeing to pay 40 marks in lieu of all damage, and for the preservation of peace¹.

¹ Masters's History of Corpus Christi College, 19, 20. See the agreement in the Appendix thereto, N^o vi. p. 13.

Corpus Christi college had, 37 Henry VIII. in reddit. et firmis in Bernewell, per ann. liiis. ijd. ¹

Of their tithes in Waterbeach, see Cart. 13 E. I. n. 82. Rec. in Scacc. 17 E. I. Pasch. Rot. Pat. 20 E. I. m. Plac. in com. Cart. 27 E. I. Affis. rot. 1. d.

Concerning their lands in Waterbeche and Gilden Morden, see Pat. 17 Rich. II. p. 2. m. 23.

A pension of 10s. out of Caldecot ².

A portion of tithes at Bottesham, taxed at 2s. ³

Portions of tithes were given them by Picot, in Trumpington, Gretton, Hasketon, Rampton, Lolworth, Trumpington, Hastingfield, Harleston, Everesden, Toft, Kingston, Wimpole ⁴, Crawden, Hatley, Pampisworth, and Aldwinckle.

They had a portion in Grantchester vicarage ⁵.

The prior of Barnwell's temporalities at Barton near Cambridge were valued at 13l. 16s. 8d. and he had a portion of tithes there value 3s. ⁶

He was taxed at the rate of 6l. 13s. 4d. for the church of St. Peter and St. Giles, Cambridge ⁷.

He presented to the vicarage of Chesterton, 1408 ⁸.

1377, Nov. 17. Commissio d'ni ep'i Eliens' ad admittendum Joh'em de Norton ad vicariam S'ti Joh'is in le Mylne-strete, Cantebr. ad presentat. prioris et conv. de Bernewell ⁹.

1396. Fr. Johannes Ashefold, S. T. P. canonicus de Barnwell, presentatus per priorem de Barnwell, ad vicar' Sci' Joh' in Millestrete, Cantab' ¹⁰.

¹ Masters' Hist. of Corpus Christi College, Appendix, p. 44.

² Blomf. Coll. Cantab. 4. 5. ³ Ibid. 28.

⁴ See a dispute between the prior of Barnwell and the rector of Wimpole about the portion of tithes, 1404, in bishop Fordham's Register.

⁵ History of Corpus Christi College, Append. 14. Blomf. Coll. Cantab. p. 229.

⁶ Blomf. Coll. Cantab. 31. ⁷ Ibid 34.

⁸ Ibid. 64. ⁹ Reg. Arundel, fol. 25.

¹⁰ C. Reg. Fordham, p. 102. b.

1467, Jan. 20. Tho. Brassington, canon of Barnwell, admitted by bishop Fordham ¹.

Ralph de Waterville gave, and William Fitz Otho, who married his niece, confirmed to them, the advowson of the church of Berton in Kesteven (*Burton Stratber* ².)

Eustace Picot, 4 R. I. gave them lands in Maddingley ³.

¹ Blomfeld ex reg̃ro epi El'.

² Carta Willielmi filii Ottonis, de advocacione ecclesiæ de Bertone.

“ Sciant præsentēs et futuri quod ego Willielmus filius Otonis concessi et hac mea carta confirmavi Deo et ecclesiæ S̃ci Egidii de Bernewell et canonicis ejusd' loci advocacionem eccl'æ de Bertona in Kestevene quam Radulphus de Watervill avunculus uxoris meæ Matildæ eis donavit et Matilda de Diva mater ejusdem Matildæ uxoris meæ carta sua eis confirmavit. His testibus; Hugone de Diva, Roberto Guz, Willielmo de Bars, Baldewino de Sco Georgio, Sivestro persona de Cest. (q. *Cheberton*). . . ., de Whitsand, Roberto de Chantelu, Richardo filio Willielmi, Symone filio Willielmi, Willielmo de Chaune.” Ex autog' in coll. regali Cantab. Mon. Ang. II. 31. To this deed was probably appendant the seal engraved in the History of the Spalding Society, in our N^o XX. p. 63.

Carta Ascelinæ de Watervilla.

Ascelina de Watervilla omnibus hominibus et amicis suis Francis et Anglis tam præsentibus quam futuris salutem. Noverit universitas vestra me concessisse et hac mea carta confirmasse Deo et ecclesiæ sancti Egidii de Bernewelle et canonicis ejusdem loci donationem fratris mei Radulfi de Watervilla quam fecit eidem ecclesiæ et canonicis de advocacione ecclesiæ de Bertone in Kestevene, et carta sua eis confirmavit: volo ergo ut eam habeant quantum ad me et hæredes meos pertinet liberè et quietè in puram elemosinam pro salute animæ meæ et pro animabus antecessorum meorum et pro anima prænominati Radulfi fratris mei, quem bona et pura devotione prædictam donationem eis fecisse novi. His testibus: Radulfo sacerdote de Hingitstutune, Martino sacerdote de Berdeks, Radulfo de Diva, Luca de Baus, Johanne Baubedor, Radulfo de Tichemers, Radulfo pittore, et multis aliis. Ib.

Carta Matildes de Diva.

Matildis de Diva omnibus hom' et amicis suis Francis et Anglis tam præsentibus quam futuris salutem. Noverit universitas vestra me concessisse et hac carta mea confirmasse Deo et ecclesiæ S̃ci Egidii de Bernewelle et canonicis ejusdem loci donationem fratris mei Radulfi de Watervilla quam fecit eidem ecclesiæ et canonicis de advocacione ecclesiæ de Bertone in Kestevene, et carta sua confirmavit, volo ergo, &c. Hiis testibus: Radulfo sacerdote de Hengstilton, &c. Ibid.

³ Lel. Coll. I. 630. ex registro.

De falda in Maddingle, Pat. 2 Ed. II. p. 2. m. 3. vol. IV. Cart. 2 Ed. II. n. 36. Brev. in Scacc. 6 Ed. II. Pasch. Rot. Pat. 6 E. II. p. 2. m. 21. Pat. 17 E. II. p. 2. m. 9. d.

The prior and convent had tenements without Aldersgate ¹.

Robert Fulburn, 1276; 4 E. I. gave some stone houses opposite St. Sepulchre's church in Cambridge to the canons of Barnwell ².

For extents of all their lands, see Efc. Cart. 5 E. III. art. 97. Pat. 12 E. III. p. 1. m. Efc. Cart. 17 E. III. n. 79.

The possessions of this priory are thus stated in a return of the jury composed of the townsmen of Cambridge, 3 Ed. I.

"The prior and canons of Barnewell held their place and the site of their conventual church, containing 13 acres and upwards, &c. by grant of Sir *Payne Peverell*, knt. their founder and patron. They have within and without the town three carucates of land and upwards, and 10s. rent, for which they pay to the lords of the fee, &c. and the king's bailiff of Cambridge, who held the said town in fee farm of our lord the king, for *lagable* and *langable*, viis.

They hold a small part by the gift of several persons in frank almoigne, and some by purchase, &c. of which, earl *David* gave them 2 acres before the door of their church for IIIId. yearly rent.

Countess *Maud* gave them two acres in frank almoigne. A certain person named *Picot vicecomes* gave them a certain place in the town of Cambridge, where now stands the church of St. Giles by the Castle, and the said canons lived there 20 years, till *Pain Peverell* removed them from their place to Barnwell, where they now live.

¹ Pat. 36 Ed. III. p. 1. m. 11. Pat. 43 E. III. p. 2. m. 37.

² Parker's History of Cambridge, from a MS. in the Cotton Library.

The said canons have also by gift of *Dunigg*; great grandfather of Hervey Dunigg, and Maud his wife, 50 acres of land in the fields on the other side of the bridge, and by gift of *Alketil* 50 acres of land in frank almoigne, saving the *leagable* of the lord the king, which they pay annually to the king's bailiff, as is before included in the gross sum of lviis.

They have by gift of the said Hervey 3 messuages in Cambridge near the market-place, and two more messuages which *Henry Lifwes* and *Robert le* — held at the rent aforesaid of lviis. subject to leagable.

They have 20 acres of the fee of the prior of Ely, by gift of *William Fitz Baldwin Blamigrium*, with a messuage and two marks yearly rent; and the said prior answered for them for hagable to the king's bailiffs of Cambridge, but by which warrant the prior of Ely claimed they know not.

They have by gift of the said William 72 acres of land, and a whole messuage which Ralph Fitz Guido holds of them in Bridge-street, &c. and pays the gross sum of lviis. beforementioned for hagable.

They have by gift of Thomas Toylet xxiiii acres of land, of the fee of Baldwin Blaregernum.

They have by gift of William de Wyshenden by the hands of the bailif of Cambridge xs. yearly rent.

They have by gift of Acius Frere 3 messuages, and the tenement in the occupation of Reginald Alicon, and 6 acres of the fee of Baldwin Blaregernum, &c. for the soul of Acius.

They have by gift of John de Kalays and Baid his wife, xl acres in Cambridge-field, and the whole service of master Hugh

* Two priests were to say mass for ever in the almonry chapel, dedicated to St. Hugh, one for the soul of Thomas Tuyler, the other for the soul of Acius Frere, whose bodies were buried in the said chapel, which Acius Frere bought at his own expence, and gave lands and houses to the canons of Barnwell and to the almonry. Thomas Tuyler gave them 60 acres of land in the fields of Cambridge. Lel. Coll. I. 627, ex registro Barnwell.

Nuttole and 17 others, &c. for which the said canons pay yearly to the king, during the respective lives of John and Baid, two corredees of two canons and one free fervant, and xls. sterling every year, and 5000 truses for firing, and 3 cart loads of litter; and if Richard le Waleys, son of the said Bafil and Matilda his sifter, survive the said John and Bafil, then the prior and canons were to pay 8s. a year, and 2 carodees.

They have two windmills, but they are raised on their own foil¹; and they cannot compel² any persons to grind there, not even their own tenants.

The said prior and canons have for patron³ of their church of Barnwell Gilbert Peche⁴, by descent from heir to heir from the time of Payn Peverell, their founder and patron. Leonius Duning holds one messuage *cum pertin'* in the parish of St. Giles, Cambridge, which were to pass by descent on the death of Adam Duning his father. William Adam bought the said messuage of Nich. Weigell, who held it by long succession of his ancestors, and holds the horse-mill in Cambridge, paying for the messuage 8d. and for the mill 6d. to the said prior and the heir of Walter de Sir Edmund⁵.

Chesterton was given to them by Henry I. a. r. II. in as ample a manner as king John had leased it to them, at 30l. per ann. fee-farm rent, which lease was now made perpetual by that annual payment, so that he and his successors were for ever acquitted from the annuity of 10l. which that king had given them in frank almoigne for ever out of the said manor, which had view of frank pledge now confirmed to exempt it from the hundred and sheriff⁶.

¹ Levata sunt de suo proprio solo.

² Aretare. ³ Advocatum.

⁴ He died 19 Edw. I.

⁵ Mon. Ang. II. 30. ex Rot. hund. pro c. Cantab', in turre Lond.

⁶ Blom. C. C. p. 220. See before, p. 13.

The prior and his tenants in Chesterton were acquitted of tallage by the judgements of the king's courts ¹.

William Kilkenny, bishop of Ely, who died 1256, left to this priory 200 marks, for founding two divinity exhibitions at Cambridge. This Mr. Baker supposes to have been one of the first endowments for exhibitions ².

In the extents of lands belonging to the honor of Richmond, in the county of York, held by landholders in the county of Cambridge, the prior of Barnwell held in the town of Toft, of the said fee and the heir of Albr' de Nevill, 4 virgates of land in frank almoigne, worth LXd. of which he paid to the guard of Richmond castle xxiiid. He held also in the town of Brunne, by the same tenure, 7 acres, worth iiii. 6d. for which he paid nothing. He held also in the town of Caldecot half an acre of land in frank almoign, worth 7s. 6d. without any deduction ³.

Of their lands in Dry Draiton, see Plac. in com. Cant. 27 Ed. I. Rot. 9. d. Rot. 15. Rot. 17. 29 Ed. I. Affis. Rot. 26.

Richard King, of Wyfbich, in the isle of Ely, and Agnes his wife, by a deed of gift, bearing date 13 August, 19 Henry VII. gave to the convent of Barnwell, the Falcon, in Cambridge, *et aliam vacuum plateam voc' le Plough*, lying towards the gate of the Friars Preachers in Cambridge, and also one tenement, with

¹ Baronibus pro priore de Bernewell. Rex concessit eidem quod ipse et homines sui de Cestretun de cetero quieti sint de taillagio secundum quod invenitur in rotulo regis J. xvi, non obstante solutione taillagii facti ad scaccarium anno 8 et 9 ejusd' regis J. de quo taillagio idem prior et homines sui de Cestretun quieti sunt per cartam suam quam rex inspexit et per considerationem curie regis. Memor. 25 Hen. III. rot. 7. b. Madox's History of the Exchequer, 622.

² Concerning Chestreton see Inspex. 5 Hen. III. m. 8. and 10 Fin. 8 Hen. III. m. 9. Claus. 11 Hen. III. m. 17, 18. Plac. coram rege, 2 Hen. V. Rot. 15. de consuetudinibus tenentium in Chestretonc. Pat. 5 Hen. V. m. 7. Pat. 1 Edw. IV. p. 3. m. 10.

³ "Item dicunt quod prior de Barnwelle tenet in villa de *Toft*, de feodo predicto et hæred' Albr' de Nevill, iiii virgat' terræ in elemos', et valent xis. inde solv' ad ward' Rich' xxiiid. Idem prior tenet in villa de *Brunne*, de eadem reñur' vii ac' quæ valent iiii. vid. pro quibus nihil reddit. Idem tenet in villa de *Caldecot* dim' virgat' terræ elemos' quæ valet viis. vid. et nil inde reddit." Reg. Honoris de Richmond. Appendix, p. 56.

a dove-house and garden adjoining, situate in Cambridge, butting towards the street called Fryers Preachers-lane; and also 28 acres of arable land lying dispersedly in the fields of Cambridge and Barnwell, upon condition that they should, according to his last will and testament, every year, upon the Friday in the first week in Lent, celebrate there a *requiem* in a solemn manner in the choir of their church, singing a dirige, &c. and on the next day saying a solemn mass for the souls of the said Richard King, and Alice his wife, daughter and heir of Alice Baldwin, alias Alice Rayson, the wife of John Rayson, and for the souls of the parents of the said John and Alice, and any of their brethren and sisters that had been benefactors to them; and for the souls of the parents of the said Richard King, and his and their benefactors; and also of all the faithful deceased; that the prior of Barnwell, or, in his absence, the sub-prior, and the convent, shall meet at the time and in the place mentioned, and celebrate their obsequies as above, with tapers burning, and bells ringing: that the prior, if present, should every year receive 16d. and every other canon in priests orders present, singing and duely praying, as above, provided they do not exceed the number of 12 priests, shall have each 8d. and every other canon not in priests orders, if present, not exceeding five, shall have each 4d.; and for the use and waste of tapers, or candles, standing lighted upon and about the hearse, during the solemnity, the prior and officary of the said monastery shall every year have 3s. and the clerk of the said church, being present, and knolling the bells, shall have every year 4d.; and the prior, or his deputy, shall distribute to every person present a halfpenny loaf and two herrings, as far as ten shillings would go, and no farther. And he also in his said will appointed, that the master of Mich' House in Cambridge, or one of the fellows deputed by him, to be present upon the said occasions, to oversee the due observance and performance
of

of the exequies aforefaid by the convent, for which he ordered that he fhould receive 2s. every year for his pains; and that he fhould have his breakfast at the prior's table; and alfo that the faid mafter's fervant, if he brought one with him, fhould breakfast with the prior's fervant; all which expences were to be paid out of the rents and profits aforefaid. And he ordered further by his will, that if the prior and convent were negligent or remifs in performing the ceremonies upon the anniversary of his death, as aforefaid, they fhould, when the faid neglect, &c. had been legally proved before the bifhop or advocate of Ely, for the firft time, forfeit to the mafter and fellows of Mich' Houfe, 36s. 8d. for the fecond, 40s. for the third, 50s. for the 4th, 3l. for the 5th, 5 marks, and for the 6th, the whole eftate fhould go to Mich' Houfe, who were to perform the fame ceremonies, and at the fame time, in St. Michael's church in Cambridge, for which the mafter of the college (if prefent at the folemnity), or, in his abfence, his deputy, fhould receive 10d. and 12 fellows, if prefent, 8d. each, and 5 other fcholars of the college, if prefent 4d. each; and, if at the faid time of the anniversary, there were not 12 fellows and 5 fcholars in the faid college, that then the parts of fo many as were wanting fhould be diftributed amongft the mafter and what fellows and fcholars were then prefent. And the faid mafter muft lay out in lights, upon the faid occafion, 3s. and pay to the parifh clerk for knolling the bells 6d. and that he fhould diftribute amongft *pauperes fcolares, mendicantes, vel quafi mendicantes habent: tantum 2d. pro viftualibus fuis pro feptimana 10s. in eos equaliter dividend' fingulis annuis in perpetuum:* and the remainder of the rents and profits of the faid eftate fhould go towards the repairs of the faid college. And he alfo appointed one monk of Ely, or any other honeft graduate prefbyter, to be appointed by the prior of Ely, to be prefent at, and diligently

I.

overfee

oversee whether the said master and fellows were not negligent or remiss in the observation of the said anniversary ; and that he should receive 2s. for his pains. And if the said master, &c. were remiss, they should for the first time (upon the neglect being duly proved before the bishop of Ely, or his archdeacon) forfeit to the prior and convent of Ely, 36s. 8d. for the second, 40s. for the third, 50s. for the fourth, 3l. for the fifth, 5 marks, and for the sixth, the whole estate should go to the said prior and convent for ever, to the uses and behoof of such office as should have the most need of it in the said monastery, to pray for the souls of the persons above-mentioned for ever¹.

Part of the Will of RICHARD KYNGE, of Wysbyche. 1504.

“ I give and bequeath unto the prior and convent of Barnwell, in the diocese of Ely, my house in Petycury in Cambrige, called the Fawcon, with all manner of lands and appurtenances thereto belonging, under thys condycyon ; that the said prior and convent shall put their commen seale to the indentures made by thadvyse and cownfell of John Purgold and William Nelson, betwixt the said prior and convent and me, of and for a yerely obyte to be kept at Barnwell, for my soule or other my frendys soullys. And yf the sayd prior and convent at the request of myne executors wythin named, doo not put the commen seale to the said indentur, &c. then I bequeath and gyve my said house in Petycury, with all my landys and thappurtenaunces thereto belongyng, unto the masters and fellowys of Saint Mighell's College, in Cambryge, so that the said maister and fellowys put heir comen seale to the indenture as above is wryttyn, and also kepe my yerelye obyte according to the same indenture, &c.”

¹ Ex antiq. charta quatripart. fact. inter executores dicti Richardi Prioris de Bernwell, et Ely, et magistrum domus Mich. penes Trin. Coll.

² Ely Regr. West. The date is wanting to this will ; but by the indenture mentioned in it, and referred to, it must be made in the years 1503 or 1504 ; because the said indenture bears date the 19th of Henry VII. which was 1504. Note, That this will was made in the time of bishop Redman, though in West's register. See the said indenture, page 393.

Alexander Rannaw gave to the parish of Great St. Mary, in Cambridge, 1648, a rent of 40s. out of White Horse tenement in Barnwell, 20s. for his anniversary sermon on Sunday after Candlemas-day, and 20s. to be distributed to the poor in bread the day after ¹.

Leland saw in the Library of this priory,

Chronica Hugonis de S. Victoria, beginning, *Fili Sapientia Thefaurus est*.

Epistolæ Symmachi.

Prometicus Alex. Necham, carmine profa intermixta, beginning, *Sponte sua genius pater*.

Elias Rubeus, Tripelaunensis contra inanent nobilitatem.

Epistolæ variæ Caffiodori.

Chronicon a Nino ad Cæfarem et a Cæfare ad Ludovicum Caroli magni filium, beginning, *Affyrriorum igitur rex*.

Chronicon, whose prologue began, *Annum ab ea die qua Petrus* ².

Of the conventual church and its buildings it is now impossible to form any idea; all that remains being only the springs of some arches, probably of the cloister, and the precinct wall.

Persons buried in their church.

Eva, mother of Gilbert Peche, patron ³.

In the Lady chapel, which was dedicated 1334.

Maud Picot ⁴.

¹ Blomefield, Coll. Cantab. p. 98.

² Coll. III. 15.

³ A. D. 1489. Obiit dñs Th' Cheyne, miles, qui dedit pro sepultura sua 10 lib. et priori 6s. 8d. et cuilibet canonico, 3s. 4d.

1489. Mens' Novembr', obiit mag' Ric' Brocher, Th' Bac' et rector de Landbeche, qui dedit opus domus et inter can' distribuend' xx s.

⁴ 1496. Obiit mag' Johes Lefryngton, 2 cal' Decembr', cujus anime propicietur Deus.

In 1409, John Hore of Bernwell was buried in the priory church, and gave to the parish church of St. Andrew, in Bernwell, in Cambridge, a service-book called a portifory; and in 1466, Margaret Hore his widow was buried in the church of the nuns of St. Radegund, in Cambridge, now Jesus college chapel, where her daughter Emma was then a nun¹.

The small parochial chapel of St. Andrew in Barnwell is tiled, and has one small bell in a low wooden turret.

At the East end is a free-stone over Mr. Nicholas Butler, buried Feb. 1, 1686.

A marble over Mr. Charles Butler, 15th child of Dr. John and Mrs. Susan Butler, 1669.

Ambrose Butler, esq; died Mar. 11, 1685.

Hic jacet Johannes Butler de Corton, in com. Leic. gener. sepultus Sept. 22, 1669.
Resurgemus.

Hic
mortalitatis suæ reliquias
deposuit NEVILLE BUTLER,
generosus, vir ut acri judicio
ac sapientia singulari ornatissimus
ita vita et moribus integerrimus:
qui nemini unquam injurius
religionem sinceritate, familiam
diligentia, conjugem fide,
liberos amore, amicos benevolentia,
atque omnes humanitate colere
semper studuit. Vixit an. lxxvi
obiit die xiv Martii, A. D. MDCLXXIV.

Mr. Nicholas Butler was buried on the 1st of Feb. 1686.

Mrs. Cicely, the sole wife
of Mr. Neville Butler,
by whom she had seven sons
and seven daughters:
was buried here on the
23d of Feb. 1693.

¹ Blomefield, Coll. Cantab. p. 168—179.

Hic jacet Cecilea Folkingham
 Neville Butler generosi filia natu
 tertia, Nicolai Folkingham, A. M. uxor
 charissima ; singulari vitæ probitate
 ac suavissimis moribus ornata, quæ
 postquam peperat filias tres,
 Elizabetham, Ceciliam, Margaretam,
 diuturna tandem tabe absumpta su-
 premum vitæ diem explevit 21^{mo}
 Martii 1679. Et triste sui desiderium
 apud maritum, liberos, propinquos,
 amicosque reliquit.

On a flat stone at the side of the north feat,

Mrs. Susanna	} Butler, born	{	Apr. 10, 1686, died	7th,
Mrs. Elizabeth			May, 12, 1688,	9th,
Mrs. Cicily			Jan. 6, 1690,	18th,
Mr. William			Oct. 13, 1694,	19th,

Of the small-pox, April, 1696.

The Lord giveth, and the Lord taketh away, blessed be the name of the Lord.

The village of Barnwell stands about half a mile east of Cambridge, and the chapel (being part of the antient priory, of which we have already treated at large) stands about the middle of the village; which is wholly situate in Preachers Ward.

Though this may seem all to be but one parish, it is composed of three, viz. Little St. Andrew's, or Barnwell aforesaid, Holy Trinity, and St. Benedict's (in Cambridge), for they have each inhabitants living in the said village; and some of the houses belonging to Trinity parish are situate nearest the chapel of any in the village.

The Holy Trinity,	} hath in the village { 7 } houses.
St. Benedict,	

In this parish (excluding the other two) are 48 houses (of which two are public ones), and 205 souls.

It is charged annually towards the land-tax the sum of 236l. 17s. 4d. when at four shillings in the pound, and 177l. 13s. when at three shillings.

This parish is a peculiar, being a donative; and though it sends no copy of the parish register to the bishop's office at this time, yet it formerly did.

This village hath often been reduced by fire; but the last, which happened on September 30, 1731, consumed a great part thereof. The fire was so very fierce, that the engine, which was carried thither to extinguish it, was destroyed therewith; for getting it into a farm-yard, surrounded with houses and barns, the fire spread so fast, that the people could scarcely get out without being burnt; nay, some were very much scorched, in endeavouring to make their escape.

APPENDIX.

“ Jacobus Dardicinus canonicus Troperienfis in legibus licentiatus aplice camere et clericus, ejusdemque sedis nuncius in Anglia et collector, &c. Johanni episcopo Eliensis salutem, desiring him to cite the underwritten persons; and if they do not appear and pay their arrears, to sequester the income of their benefices to pay their arrears to the pope.

In 1394 the priors of Ely and Bernwell for arrears of that year.

1400. The same priors and the prior of Anglesey for procurations.

1414. The prior of Bernwell for arrears that year. Blomf. ex registro Fordham epi Eliensⁱ.

Bishop Fordham directing his mandate to John Judde, official, to cite all patrons, &c. to give in a certificate of all the benefices that belong to their patronage, and whether they are taxed or not, and of what condition they are, in order to raise a tenth for the King, they were cited to appear in St. John Baptist's church at Cambridge, and did so accordingly, and gave in their certificates.

John Bernwell, prior of Bernwell, certified that they were patron of Byton rectory, Linc. dioc. val. per annum.

Ecclesia Sancti Edri Cantab. vicar. val.

xx marc.

Sancti Sepulchri vicar.

x marc. per annum.

Vicaria de Madingle val.

c marc.

Vic. de Cumberton

cs.

Vic. de Caldecote

viii marc.

Vic. de Brunne

cs.

Vic. de Crawden

xli.

Vic. de Tadelow

cs.

Vic. de Mordon

cs.

Vic. de Hynxton

xli.

Vic. de Harleston

cs.

Vic. de Waterbeche

x marc.

Vic. de Warden Lond. dioc.

x marc.

cs.

Reg. Fordham, f. 136. a. b.

In a taxation before 1200, pen. T. Martin, the prior of Bernwell, was taxed 4d. for a rent in Ryfeby, in Thinge deanry, in the county of Suffolk.

The Preacher's ward in Cambridge, from the Dolphin Gate and the lane's end over against it, unto the town's end beyond Emanuel College, taking that side of Jesus Lane next Sidney College, with all Barnwell watcheth and wardeth for itself. The common watch and ward for this ward is Wall's Lane, the lane next beyond Christ's College, Emanuel College Lane, Birdbolt Lane, and the Town's End. Spalding's Collections

In the high gable rental of Cambridge is land late the prior of Barnwell's. liiis. Ib.

The Crofs Keys in Barnwell, late in the tenure of Thomas Wendy, esq; lease 100 years, at 1l. Ib.

Among the persons charged with pontage for repairs of the great bridge at Cambridge, are tenants of lands in Barton, late belonging to the late monastery of Barnwell for 2 hides and $\frac{1}{2}$ in Barton.

Bona Prioris de Bernewell.

In Bernewelle XLVIII^l. XI^s. VIII^d. ob.

In Berton XIII^l. XVI^s. VIII^d.

In Cumberton X^s. VI^d.

In Chestreton LVIII^l. II^s. II^d.

De quibus solvit domino regni per ann. XL^l. & sic remanet XVII^l. III^s. II^d.
decimabilis.

In Maddyngle XIX^l. XIII^s. III^d.

In Drayton III^l. III^s. III^d.

In Brunne XIX^l. XII^s. VIII^d.

In Hafelynfeld III^s.

In Toft IX^l. VII^s. II^d.

In Wyvelyngham XII^d.

In Caldecote XLVIII^s. X^d.

In Trumpeton XIII^s.

In Feversham III^s. III^d.

In Meldebourne III^s.

In Wynepol XXII^s.

In Wytlesye XIII^s.

In Harleston XIII^s.

In Bowesworth II^s. VI^d.

In Pyncote LI^s. VI^d.

In Hokyton XXI^s. III^d.

In Stanton Michael, XII^s.

In Impyngton LXVII^s.

In Landbech LIII^l. II^s. VI^d.

In Gritton vs. VI^d.

In Herdewyk X^s. X^d.

In Kyngeston XVII^s.

In Everesdon X^s. VI^d.

In Wytlesford XX^s.

In Stonwe IX^s. VII^d. ob.

In Cranden VII^s.

In Barnton XII^s.

In Cotenham VI^s. VII^d.

In Rampton VI^s.

In Bernaston III^s.

In Ryseby II^d.

In Gruele and Chepith XXI^s. VI^d.

In Howes VI^s. VI^d.

Summa summarum

—

CLXVII^l. VIII^s. VII^d.

From Blomfield's Collect. Cantab. MS.
Spiritualia

Spiritualia Prioris de Bernewelle.

Porcio ejusdem in ecclesia de Hokyton xxvis. viiij d.				
.....	Cotenham	xxs.		
.....	Sancti And. de Hyfton.	xls.		
Ecclesia de Maddyngle appropriatur eidem xij. vis. viiij d.				
Porcio ejusdem in ecclesia de Rampton xlvij. viiis.				
.....	Landbech	xxl.		
.....	Midelton lxxvij. viiis.			
Ecclesia de Waterbeche appropriatur eidem xiiij. vis. viiij d.				
Porcio ejusdem in ecclesia Sancti Edward Canteb. indecl' 1 marc.				
.....	Sancti Betulphi indecl'	iiiiis. iiii d.		
.....	Sancti John indecl'	xxs.		
Ecclesia omnium Sanctorum ad castrum appropriatur eidem iiii l. xiiis. iiii d.				
.....	Sancti Egidii vij. xiiis. iiii d.			
Capella de Bernewelle appropriatur eidem xxs.				
Porcio ejusdem in ecclesia Sancti Sepulchri Cant. vis. viiij d.				
Ecclesia de Gilden Morden appropriatur eid. xxxl.				
.....	Cranden	xiiij. vis. viiij d.		
.....	Taddelowe	xiiij. vis. viiij d.		
.....	Caldecote	viii l.		
Porcio ejusdem in ecclesia de Lollewurth xvs.				
Porcio ejusdem in ecclesia de Hungri Hattele vs.				
Ecclesia de Brunne appropriatur eidem xxviii l.				
Porcio ejusdem in ecclesia de Kyngeston xls.				
	Toft xls.		<i>Mr. Dr. Barnwell</i> *	
	Berton iiii s.			
	Cotes iiii s.			
	Hafelyngfeld xxiiii s.			
	Wynepol.		<i>Mr. Marshall</i> †.	
Ecclesia de Cumberton appropriatur eidem xxi.				
Porcio ejusdem in ecclesia de Trumpeton xxvij. viiis.				
Ecclesia de Harleston appropriatur eidem xiiij. vis. viiij d.				
Porcio ejusdem in ecclesia de N. Stowe, xls.				
	Suafham monial.	cxvj.		
	Pampeworth,	xxiis.		
Ecclesia de Hurgerton appropriatur xiiij. vis. viiij d.				
Porcio ejusdem in ecclesia de Botehesham iis.				
	Lynton vs.			
Summa totalis ccvj. xii s. iiii d.				
Et Summa porcionum	£42	16	10	} in a late hand.
appropriat'	162	15	6	

* These two names written in a very late hand.

† This sum is doubtful.

In the tax on wool, 15 and 16 Edw. III. of which see Stowe, p. 238, 235. the rectory of the chapel of Sterefbrig at Barnwell was rated at 5s. 6d. (MS. Blomf.)

In the Taxatio bonorū spī & templ. in the archdeaconries of Suffolk and Sudbury, 1436, in Fordham deanry, rector de Bernewell Sancte Marie £5. 6s. 8d.

Clare deanry.

Prior de Bernewelle 2½d.

Prior de Bernewelle temporal. 2s. 4d.

2½d. in Wrattyng magno. (Ib.)

The two following advertisements, relative to the privileges of the inhabitants of Barnwell, are thought worth preserving, in a history of that town.

TOWN of CAMBRIDGE.

July 23, 1785.

“THE inhabitants are requested to meet at the Town-hall, on Monday next, at twelve o’clock in the forenoon, to consider of the steps necessary to be taken to prevent the damages and expences incurred by Mr. Alderman Bond, in his Cow Cause with the Commoners of the Hamlet of Barnwell, being paid by the different parishes of this town.

CAMBRIDGE, July 25, 1785.

THE inhabitants of this town having been desired, by an anonymous hand-bill, to meet at the Town-hall, this day at twelve o’clock, on the business of the suit commenced in Alderman Bond’s name, to try *their* right of common on Stirbridge Fair Green; Mr. Bond thinks it incumbent on him to state the following facts, first observing, that *every* Freeman, on his admission, takes an oath to preserve the Common Rights belonging to the town.

Frequent complaints having been made, by the inhabitants near Barnwell, that Mr. Bullen had impounded their cows from Stirbridge Fair Green, they were referred to the Mayor, senior Alderman, and Town Clerk, as being the most competent to determine whether their claim of common right was justly founded. The opinion of these gentlemen was, that the inhabitants of Cambridge had an *undoubted* right, it having been so settled by an Award between the Prior of Barnwell and the town of Cambridge, which Award, together with the covenant Bond, was then in the corporation chest.

On the 4th of June, 1783, Mr. Bullen having impounded Mr. Bond’s cow, with several others, the late Alderman Tunwell, at that time Mayor, with the advice and consent of another justice of the town, took the matter up as a business that concerned *the whole town*, and gave directions to the town clerk, to replevy in Mr. Bond’s name; and at the next general quarter sessions held in July, the following order was made:

“Whereas some disputes have arisen, touching the Intercommon of Stirbridge Fair Green, between the Commoners of Cambridge, and those of Barnwell within the said town, and a suit hath been instituted in order to try the right of the said Common: It is this day agreed and ordered, that the costs of such suit on the part of the said town of Cambridge, touching the said intercommon, be paid and borne by the said town; and that the Town Clerk be desired to prosecute the said suit, to assert the right of the inhabitants of the said town to the said common.”

Some time in the ensuing summer, Mr. J. Bullen, accompanied with Alderman Forlow, called on Mr. Bond, desiring the matter in dispute might be settled by arbitration. Mr. Bond told them, that *for his own part* he had no objection, but as the matter was of a *public nature*, he could not agree without the consent of the Justices, who had taken it up; that he should meet them the following evening, when he would lay the proposition before them. The opinion of the Justices was, that, as the claim of common right materially concerned the *whole town*, it ought to be *legally* determined.

About August last, at a common day, the award and covenant bond above-mentioned, were brought out of the chest into the hall to be examined, after which two junior Aldermen were ordered to replace them in the chest, agreeable to the custom of the corporation.

About ten days before the last March Assizes, the Town Clerk gave notice of trial, and applied to the Mayor, who keeps the keys of the corporation chest, for the award and covenant bond, which upon search were not to be found, though they had been examined so lately as the August preceding. Upon this *very extraordinary business*, the Recorder was consulted, who was of opinion, that as the award and covenant bond, by which the common right *must have been established*, was so *unaccountably* missing, notice of trial should be countermanded. The Justices concurred in opinion with him; and the Town Clerk, by *their* directions, gave orders accordingly.

This being a state of facts, which cannot be controverted; Mr. Bond appeals to the unprejudiced part of the inhabitants of Cambridge, whether, in a business which was first taken up and continued upon public grounds, to try the right of the *whole town* to the common in question, it is consistent with equity or reason, that the expences should fall on the individual, who was only the *nominal* plaintiff in this business. On the strange disappearing of the *bond and award* he forbears to make *any* observation, as that is a matter which speaks for itself. His sole view in the whole business was to establish those common rights which he, as well as every other Freeman, is sworn to preserve; and he has not a doubt but this would have been done, and the present expence avoided, if the award and covenant bond had not been thus *unaccountably withheld* from the Town Clerk.

E R R A T A.

P. 40. l. 16. For "Grey" r. "Guy."

P. 41. l. 28, For "he" r. "the burgeses."

P. 66. l. 11. De'e "Tremington."

Appendix to Barnwell, p. 32. l. antep. r. "Holbroke."

P. 46. l. 12. 16. r. "the Tunne lake.

33. r. intercommoners.

P. 47. l. 12. r. 53s. 3d.

INSCRIPTIONS



Jacob Butler Esq. of Barnwell.

INSCRIPTIONS on Three large Tablets, on the South Side
of the Chancel of BARNWELL CHURCH.

*In Memory of such of his Ancestors and other Relations as are
dead and are here named, this Monument was erected by JACOB
BUTLER, Esquire, present Owner of this Estate, A. D. 1736.*

TABLE I.

THOMAS BUTLER, of Greys-Inn, London, Esq; Barrister at Law, succeeded his father Nicholas in his estate at Orwell, in this county. He married Mary daughter of Sir William Dethick, Knt. of Poplar, near London, by whom he had Nevile-Alexander, Thomas, Jane, Mary, and Joan. He was buried in the chancel of Orwell, by his father Nicholas, Feb. 1, 1621.

Ambrose Aglionby, Esq; hereafter mentioned, was buried in the chancel of Orwell, Nov. 22, 1651.

John Butler, gent. of Leicestershire, was buried here Sept. 22, 1669.

Edward, son of Dr. John Moore, late Bishop of Ely, by Rose his wife, daughter of Mr. Nevile-Alexander Butler, hereafter mentioned, was buried here March 9, 1690.

Nevile, son of Nevile Butler, now of Sandon in Hertfordshire, gent. was buried here June 13, 1720.

Mrs. Butler, wife of Nevile Butler, gent. of Sandon, aforesaid, was buried here, Jan. 14, 1723.

Mrs. Bodendike, widow of Mr. Jacob Bodendike, of St. Martin's Le Grand, London, goldsmith, and mother to the widow of the rev. Dr. Butler hereafter mentioned, was buried here Nov. 5, 1729, aged 92 years.

The rev. Mr. William Butler, son of Dr. John Butler, curate of this chapel; and of Cliff in Kent, where he died, and was buried in the church-yard there by his own desire, May 22, 1727, aged 31 years.

Mr. Benjamin Butler, another of the sons of Dr. Butler, died at London, and was buried here October 22, 1731, aged 36 years.

TABLE II.

Nevile-Alexander Butler, gent. Attorney at Law, son of Thomas Butler aforesaid, Esq; succeeded him in his estate at Orwell. He married Cicely, daughter of Ambrose Aglionby, of the Inner Temple, London, Esq; one of the Fellows and most antient Barristers of that honourable Society, by whom he had seven sons and seven daughters; (viz.) Thomas, Margaret, Ambrose, Humphry, Mary, Cicely, John, Nicholas, Rose, William, William, Jane, Elizabeth, and a daughter still-born; all buried at Orwell.

The said *Nevile-Alexander* Butler exchanged his estate at Orwell for this, with Sir Thomas Chichely, 1659; then came hither to dwell, being the first Owner that lived therein since the Dissolution. He was buried here, March 17, 1674; and Cicely his widow, Feb. 23, 1693.

Of their children buried at Orwell, William, Elizabeth, Thomas, Margaret, Humphry; William 5 months, August 7, 1652; Elizabeth 10 months, Sept. 1, 1656; Thomas, aged 27 years, Sept. 30, 1658.

Of them buried here.

Cicely,	} aged 38 years.	28	{	March 26, 1680.
Ambrose,		48		March 19, 1685.
Nicholas,		38		February 1, 1686.
Mary,		56		April 8, 1696.
John,		69		May 22, 1714.

Rose

buried at

Rose,	} aged	39	years.	{	St. Giles's, London, Aug. 21, 1689.
William,		62			Finchley, in Middlesex, 1715.
Jane,		76			Nanby, in Lincolnshire, 1730.

He was succeeded by his second son *Ambrose* Butler, Esq; who married Margaretta Maria, daughter of Edward Sydenham, Esq; by whom he had *Vere*, a daughter born after his death. He was buried here March 19, 1685.

To him succeeded his said daughter, who lived three years, and was buried at Ongar in Essex, 1689. She was succeeded by the rev. *John* Butler, LL. D. rector of Wallington, in Hertfordshire, her uncle (who enjoyed that living 44 years). He married Sufannah, daughter of Mr. Jacob Bodendick, of St. Martin's Le Grand, London, goldsmith, by whom he had eleven sons and five daughters; nine born at Wallington, seven at Barnwell, viz. Jacob, Ambrose, John, Sufanna, Nevile, Elizabeth, Rose, Cicely, Jane, Thomas, William, Benjamin, William, Alexander, Charles, Francis.

Sufanna,	} aged	10	years.	{	buried here April 9, 1696.
Elizabeth,		8			
Cicely,		6			
William,		2			

All died of the small-pox, and buried in one grave under the family feat.

Charles,	} aged	7	months.	{	March 4, 1699.
Francis,		5			February 1, 1700.
Alexander,		8			August 16, 1706.

Ambrose Butler, gent. attorney at law, in London, second son of Dr. Butler, was buried in St. Katharine's Church, near the Tower *, February 22, 1712, aged 29 years.

Dr. Butler aforesaid was buried here May 22, 1714, aged 69 years, at the entrance into this chancel.

* Sir James Butler (probably a relation) was Master of the Royal Hospital of St. Katharine, from 1634 to 1698. See Bibl. Top. Brit. No. V. p. 22, and App. p. 88.

TABLE III.

He was succeeded in this estate by *Jacob* Butler, Esq; his eldest son, barrister at Law of Greys-Inn, A. M. of this University. He married Rose, daughter of the rev. Mr. Clerk, rector of Somerby in Lincolnshire, by Jane, daughter of Mr. Nevile-Alexander Butler aforesaid, by whom he had a son and two daughters ;

Jacob,	} buried here	{ April 14, 1723.
Rose,		{ July 7, 1726.
Mary,		{ March 8, 1729.

All in a grave under this monument.

Jane Dixon (omitted in the first table), daughter of Thomas Butler, Esq; was buried here June 30, 1669.

Mrs. Butler, widow of Dr. Butler aforesaid, died January 12, 1739, and buried here the 17th, aged 78 years, in the same grave with her husband.

Mr. John Butler, hosier, third son of Dr. Butler, died August 2, buried 5th, in Hllington church-yard, 1750, aged 66.

Also buried here Mr. Nevile Butler, of Sandon, in Hertfordshire, farmer, fourth son of Dr. Butler aforesaid, died there July 12, 1756, aged 69 years; leaving behind him a son and five daughters, all grown up.

Mrs. Rose Hardy, relict of the rev. Mr. Hardy, seventh child of Dr. Butler aforesaid, died January 11, 1757, aged 67 ; buried in the church of Saltfleet, Lincolnshire.

*On the North Side of the Chancel, on Three other large Tablets,
is the following Inscription :*

*As the other Monuments would not contain what was designed to
be put thereon, the said Jacob Butler, Esq; erected this, February
1757.*

TABLE IV.

JACOB BUTLER, Esq; Barrister at Law, A. M. of this University, died the 28th day of May, 1765; and buried here the 31st day of May, aged 84; also ROSE his wife, the 5th day of May, 1778, and buried here the 13th day of May, aged 87; both in a grave, made by himself before his death, on the South side of this chancel, near the other monument. They lived and died as friends. His unvariable steadiness in the cause of Liberty would have intitled him to rewards in any age or country where Virtue was not a crime, and Corruption the safest path to Honour. As his sentiments relating to the public were founded in principle, so was his conduct in private life; wherein it would be hard to decide whether his conjugal affection, his firmness in friendship, or benevolence in charity truly Christian, shone the brightest; for he was conspicuous in all.

In the year 1754,

To stem the venality and corruption of the times, he offered himself candidate to represent this county in parliament, unsupported by the influence of the great, the largess of the wealthy, or any interest, but that his single character could establish, the esteem of all honest men and lovers of their country. But when he found the struggles for Freedom faint and ineffectual, and his spirits too weak to resist the efforts of its enemies, he contented himself with the testimony of those few friends who dare to be free, and of his own unbiassed conscience, which, upon this as well as every other occasion, voted in his favour; and upon these accounts he was justly intitled to the name of the OLD BRITON.

Now, Reader,

Behold his hardships and ill usage in life.

In the year 1714, he succeeded his father in this estate, of the yearly value of 335*l.* never let for more, yet taxed at 635*l.* occasioned thus: His father, in the year 1705, endeavouring to get Sturbitch Fair rated to the poor, as well as then taxed, the Recorder of the Corporation, then Sir John Cotton, Daniel Love, Francis Piercy, Aldermen, and Thomas Gale Common-council man, all Commissioners of the Land-tax, and owners of good estates in the said Fair, then leading men and governors of the said Corporation, by the help of others, took the tax from off their estates, and all others of the said Fair, that had always paid in Barnwell parish, and laid it upon the estate of Dr. Butler his father. No redress to be had by appealing; so continued for some years after the said Jacob Butler entered thereon; then got some redress, so as to have his estate taxed at 420*l.* and so hath continued ever since, to his great damage and oppression, under a large mortgage, seven brothers and sisters portions to pay, four annuities of 240*l.* *per annum*, two great fires, one in 1717, the other in 1731, in which he lost four thousand pounds; on both which, collections were had by letters of request; no benefit to himself, by authority of the then justices, who told him, that unless he would swear he was not worth 500*l.* he should have no part of that money; which he refused, so lost that share he ought to have had. The like attempt was made as to the brief obtained by the justices, Joseph Kettle at their head, who was a son of his grandfather's horse-keeper; but in that he succeeded, and had to his share the sum of 800*l.* So ended his life.

TABLE V.

To support himself under the hardships in the other table, he took into occupation all his estate, though very unfit for such an undertaking, to enable himself to bear the burthens aforesaid; suc-

ſucceeded ſo well as to make good all his annual payments, and to guard againſt all the other demands. In 1721 he married a good and induſtrious wife, ready to take her ſhare of the yoke then on his ſhoulders, by whoſe fortune and diligence lightened and enabled him to go forward.

In 1724, when an act was procured for a turnpike from Cambridge to London, he was therein appointed a truſtee. In 1731, parties running high, a new one was obtained, grounded on great frauds and abuſes committed by the old truſtees, at the expence of the turnpike-money; to ſupport which charge, he was pitched upon to make good the ſaid abuſe; for which end, he was ſummoned to the county ſeſſions; arraigned in his gown, convicted, fined 10%. and for non-payment was committed. He excepted to their juriſdiction, and ſubmitted his caſe to any Lawyer of their own chooſing, which was accepted; and Sir Philip Yorke, then Attorney-general, was nominated and accepted of; his caſe drawn up, and laid before him; had his opinion in favour of himſelf, with which he went to Ely, to the then Under-ſheriff, Peacock by name, in order to ſave the eſtreating of his fine; he, being one of their party, did reſuſe it, and told him, he did not know but he might forge it; then went with it to Newmarket, to one Goodale, then Deputy clerk of the peace; there meeting with the ſame fate, at laſt was obliged to tender it to Joſeph Kettle, Chairman at the next quarter ſeſſions, one of his judges, and told him, it was hard for him, at the expence of two guineas, to teach him and his brethren law; and ſo was diſcharged.

Ahab, King of Iſrael, wanted Naboth's vineyard, offered him an equivalent for it, but could not prevail. Mr. Sindry, an Alderman of this town, wanting part of my property, thereon to erect a dog-kennel; applied to his brethren for a leaſe of a ſpot of ground, on which he did erect one,

TABLE VI.

without any application to me; whereby I was obliged to bring my action, and had a verdict, whereby it was pulled down, to the satisfaction of many. This not suiting his pride, Jezabel-like, he stoned me with three indictments, and my servant with a *Qui tam*, for being in my own manor with a brace of greyhounds; to all which I appeared, pleaded, and joined issue in order for trial, but never tried; so he had his ends in stoning my pocket, but saving my life; this was a great expence to me. To support his right of sheep-walk in all the Lammas grounds on the South side of the town of Cambridge, from being plowed, digged, or inclosed, Edward Gillam, a farmer of this town, though apprized thereof, would plow up his own land, and such others as he could hire, to the amount of thirty acres, whereby all sheep were damaged in their feed, much more in their winter layer: was obliged to bring his action against him, which was tried; a verdict obtained, and are now laid down again, which I hope will be a warning to others from doing the like. This was done for the benefit of this estate.

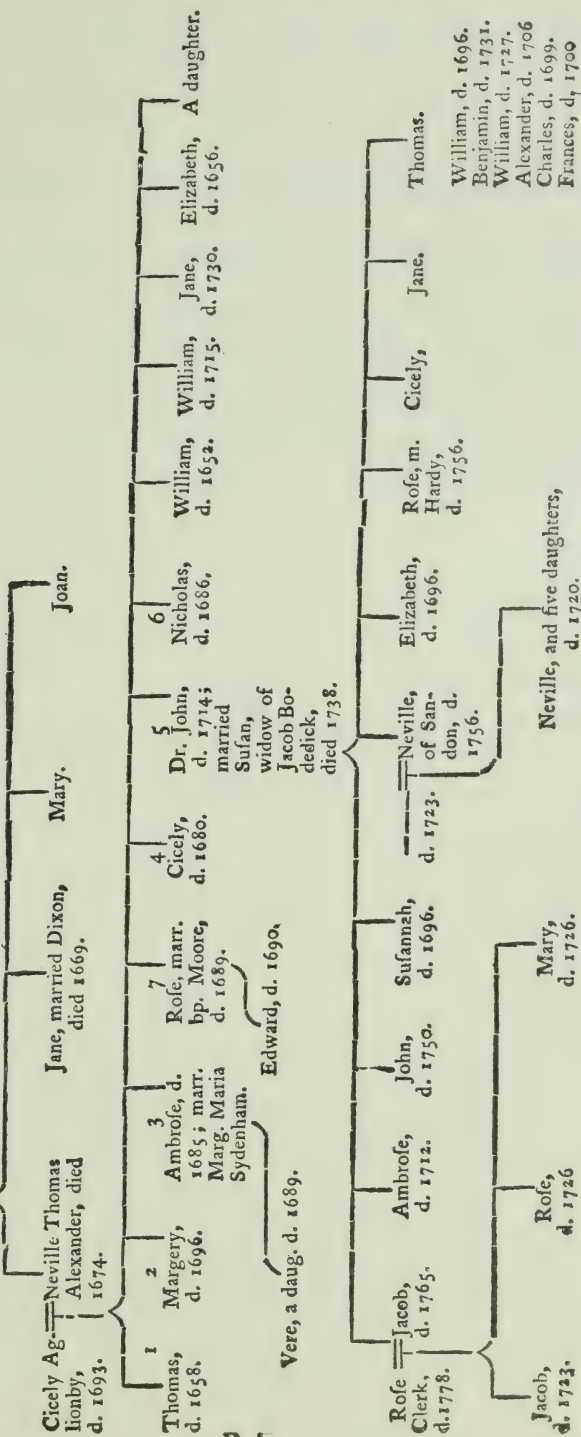
To regulate the great abuses on the commons of Cambridge, in 1752, he pounded the horses and cows of several put thereon, and made them pay; but one Child, an inmate, replevied his; to support whose action, a subscription was set on foot, and thereon was collected fifty pounds. The action was tried; a verdict had against him, with costs. This, he thought, would have ended the abuses, which still continue, though the Corporation are the regulators of them; and on the admission of every member into the body; he takes an oath not to abuse, or see them abused; so little regard is paid to an oath, which is the only tie of property!

He feared his God;
 he honoured his king;
 he despised his foes;
 and valued his friends.

PEDIGREE OF BUTLER.

Nicholas Butler, of Orwell.

Mary Detrick. Thomas, of Gray's Inn, died 1621.



John Butler had an interest in the Hide manor at Sandon, by grant 7 Henry VIII. Salm. 35a.

A P P E N D I X.

I.

Proceſſus Electionis Prioris de Bernewell, Elienſ. Dioc.

Ex Regiſt. Prioratus, p. 55. et Regiſtr. W. Grey, Ep'i Elienſ', f. 157.

EDWARDUS Dei gratia rex Angl', Fran', et dñs Hyb', venerab' in Chriſto Patri Will' eadem gra' epiſc' Eli' ſalutem. Sciatis quod electioni nuper factæ in domo ſive prioratu canon' de Bernwell ord' St. Aug' veſtræ dioc' de religioſo viro Fra' Will' Tebald, canonico ejuſdem domus ſive prioratus, in priorem et paſtorem domus ſive prioratus præd' regium aſſenſum adhibuimus et favorem. Et hoc vobis tenore præſentium ſignificamus, ut quod veſtrum eſt in hac parte exequamini. In cujus rei teſtimonium has literas noſtras fieri fecimus patentem. Teſte meipſo apud Weſt', 30 die Nov', an' regni noſtri 14.

Rev'in Chriſto patri et dñodño Willmo Dei gratia Elienſ' epiſc' veſtroque cõmiſſario ſeu cõmiſſariis quibuſcunque veſtri humiles et devoti filii ſubprior et conventus domus eccleſiæ conventualis canonicorum de Bernwell, ordinis St. Aug' veſtræ Elienſ' dioc', tam debitam quam devotam obedientiam cum omni reverentia et honore debitam tanto patri. Sacris canonibus conſtat eſſe ſtatutum quod ultra 3 meſes prælato proprio non careat eccleſia regularis, ne per deſertum paſtoris invadat gregem dominicam lupus rapax, aut in facultatibus ſuis grave diſpendium patiatur. Veſtræ igitur rev' paternitati notum facimus per præſentes quod vacante nuper dicta eccl' noſtra conventuali per priorem electivum et perpetuum ſolita gubernari per liberum reſignationem ac puram et ſpontaneam ceſſionem et dimiſſionem religioſi viri Fra' Joli Whaddon, ult' Prioris ibid' in ſacras manus veſtras ſponte nuper factam et per vos rev' pat' admiſſam ac in dicta eccl'e et prioratum noſt' 10 Nov', 1474, notificatam, ex qua tunc noticiam habere cepimus primo et non ante, petitaque et obtenta, ut moris eſt, ab illuſtriſſimo in Chriſto principe et domino noſtro Edw' Dei gratia, &c. noſtro patrono licentia nobis et eiſdem prioratui et eccleſiæ futurum priorem in eadem eccleſia eligendi. Nos frat' Will' Tebald, præſidens et ſubprior dictæ eccleſiæ et confratres et canonici noſtri inſcripſi omnes et ſinguli tunc præſentes ordinem regularem ſecundum reg' St. Aug' in eadem eccleſia expreſſe profeſſi, et in ſacris ordinibus conſtituti, juſ eligendi nobis futurum priorem in eadem eccleſia de jure habentes 20 die Nov' anno ſupradicto in domo capitulari ejuſdem eccleſiæ more ſolito capitulariter congregati et capitulum eodem die facientes, unanimi conſenſu et aſſenſu omnium et ſingulorum confratrum noſt' præd' tunc præſentium. Statuimus et prefiximus concorditer inter nos in dicta domo capitulari, nobis et quibuſcunque aliis juſ eligendi futurum priorem in dicta eccleſia habentibus de conſuetudine vel de jure terminum ad comparandum in eadem domo noſtra capitulari ubi electionum hujusmodi negotia ſolitu eſt tractare & ad procedendum in

hujusmodi electionis negotio de futuro priore in dicta ecclesia canon' celebrand', ac providend' nobis et ecclesiæ eidem per electionem canonicam de futuro priore ut premititur, in eadem domo, die Sabati, prox' post fest' S^{te} Katerinæ ex tunc sequent' an' supradicto, cum continuatione et prorogatione dierum si oporteat sequent' quousque dicta electio foret canonicè celebrata. Et decrevimus tunc ibidem omnes et singulos jus et vocem in hujusmodi electione habentes de consuetudine vel de jure, si qui sint, fore vocandos et præmonendos ad dictum diem et locum cum continuatione et prorogatione prædic' una nobiscum subpriore et conventu prædic' de et supra dicta electione tractaturos, et jus suum, si quod haberunt, prosecuturos, ulteriusque in dictæ electionis negotio processuros et prosecuturos usque ad finalem expeditionem ejusdem.—Quo die Sabati, viz. 26 Nov', &c. mane hora capitulari ad eligendum futurum priorem ejusdem ecclæ et canonicæ providendum de eodem, in dicta domo capitulari sic assignato et præfixo adveniente, celebrata per nos in dicta ecclâ primitus missa de spiritu S. et subsequenter ad sonitum campanæ comparentibus et præsentibus personaliter in eadem domo nostra capitulari hora capitulari more solito capitulariter congregatis omnibus et singulis confratribus et canonicis nostris in seu de dicta ecclâ existent', viz. omnibus et singulis qui voluerunt, potuerunt, et debuerunt, in hujusmodi electionis negotio commode interesse, viz. confratribus nobis Will. Tebald' subpriore prædicto, Nicolao Cagge, Will' Bowman, Will' Masséy, Joh' Leveryngton præcentore, Joh' French sacrista, et Rob' Wacherley legitime citat' sed contumaciter absent', et Johanne Soham ex tunc et pro nunc dictæ ecclæ canonicis ordinem regularem secundum regulam S^{ti} Augustini in eadem ecclâ expresse professis presbiteris, jus eligendi priorem in dicta ecclâ ut præfertur habentibus; assumptisque ad nos pro saniori consilio habendo quibusdam personis secularibus, viz. Mag^{is} Ricardo Robinson decretorum, et Simone Burgoin, legum doctoribus, Will' Malster in decretis licen', et Hen' Rudd in utroque jure bac' et Rob' Bredon, et Tho' Angold, notariis publicis: Quibus quidem personis secularibus diligenter per nos requisitis, viz. Magister Will' Malster, tanquam juris peritus pro informatione nostra, præfati vero magistri Ric' Robinson, Simon Burgoin, Hen' Rudde, et Tho' Angold, tanquam consilarii et testes, dict' vero Rob' Bredon ut not' pub', prædictæ electioni interessent. Incontinenter dictus frater Joh' Leveryngton, confrater noster, ad ostium claustrî publice proclamavit nomine nostro et conventus, ut omnes et singuli qui voluerint, potuerunt, et debuerunt interesse electioni prædictæ, si qui tunc præsentés non erant, ad dictam domum capitularem statim per se vel procuratores accederent, nobiscum et dictis confratribus nostris de dicta electione tractaturi, et jus suum si quod haberent prosecuturi prout jure volunt. Qua proclamatione facta, nullo alio adicto fratre Joh' opponen' et jus aliquod prætend' nos præsidens et subprior prædict', de consensu, voluntate, autoritate, et mandato omnium et singulorum confratrum nostrum prædictor' in dict' domo capitulari existent' nobis in hac parte fact' quasdam monitiones et protestationes fecimus, tunc ibidem in scriptis monentes primo, secundo, et tertio in genere omnes excommunicatos, suspensos, et interdictos canonicos, vel alios quoscumque si quis vel siqui forsan inter nos tunc fuisset vel fuissent, aut qui de jure vel consuetudine eidem electioni faciendæ tunc interesse non deberet, vel non deberent, quod a nobis et a domo nostro capitulare statim recederent, et recederet quilibet eorundem,

corundem, nos et quoscunque jus habentes interessendi in hujusmodi electione eligendi et providendi nobis et dictæ ecclesiæ de futuro priore, libere eligere et providere canonice permittentes. Et protestabantur pro nobis et toto conventu prædicto, quod non fuit intentionis nostræ sive dicti conventus quod aliqui excommunicati, suspensi, vel interdicti, sive alii jus interessendi, eligendi, providendi, in ea parte, ut præfertur, non habentes nobiscum in hujusmodi electionis negotio quoque modo interessent; nec volumus aut intendimus eligere aut providere de priore, ut præmittitur, cum eisdem: Sed volumus et protestati sumus, palam et expresse tunc ibidem et pro toto conventu, quod si qui tales interesse una nobiscum in hujusmodi electione nostra in eventu reperiantur, quod absit, voces talium et dicta et facta quæcunque cujuslibet ipsorum pro nullis penitus habeantur, nullique præstant suffragium aut afferant nocumentum. Recedentibusque a dicta domo capitulari prædictis personis secularibus de mandato nostro: et in ipsorum absentia habita inter nos subpriorem et confratres nostros prædictos capitulum ut præmittitur, facientes, de via procedendi in negotio electionis memoratæ deliberatione diligenti; invocata Sp. S. gratia; revocatis prædictis personis secularibus directoribus, testibus, et notar', ympnoque *Veni Creator Spiritus* devote decantato cum collecta, perlectisque literis licentiæ dñi regis, ac toto tenore constitutionis concilii generalis *Quia propter* per dictum mag' Will' Maltster de mandato nro de verbo ad verbum, et publice per eund' exposit', per quam viam de electionis esset melius procedend', repente quasi per inspirationem Sp. S. absque alia instigatione unanimiter, concorditer, et communiter, sine conditione aliquali placuit nobis et singulis et omnibus dicti prioratus canonicis fratrem Will' Tebald subpriorem prædictum virum, utique religiosum, discretum, providum, et honestum, in religione prædicta expresse professum, per plures annos approbatum, virtutibus insignitum, et multipliciter commendatum, presbiterum quadraginta annos ætatis et amplius habentem, in matrimonio legitimo procreatum, in eodem ordine ac dicto prioratu admissum in spiritualibus et temporalibus plurimum circumspæctum, scientem et valentem jura prioratus prædicti defendere et tueri, cui in quantum sciri poterit nichil obviat de canonicis institutis in priorem dicti prioratus, ac ipsum sic subito inspiratum, consensus et votis simul expressis, quasi uno spiritu et una voce simul eligimus, ac volumus, et elegimus in priorem. Et quamvis quæ spiritu Dei aguntur non sunt sub lege, sive angustiis formarum juris arceantur; ex habundanti tamen ad majorem expressionem, ego Will' Massey præd', de mandato et voluntate omnium confratrum meorum, ac vice ac nomine eorundem, et nomine meo, præfatum fratrem Will' Tebald, sic ut præfertur, unanimiter et concorditer per me et confratres meos electum in priorem dicti prioratus, eligo in communi et eidem provideo de eodem, ipsamque electionem ut præmittitur celebratam nos omnes et singuli tunc præsentibus nullo nostrum reclamante expresse et concorditer approbavimus et ratificavimus: et *Te Deum laudamus* devote cantantes usque ad summum altare dictum ipsum electum nostrum quidem confratres nostrorum deportaverunt, ac dictam electionem de dicto electo, finito cantu cum collecta, sic canonice factam, clero et populo in lingua materna, per dictum fratrem Will' Massey de mandato nostro fecimus solemniter publicari, et subsequenter, dicta electione sic ut præmittitur publicata, et eidem electo p fratres nostros Will' Bowman et Will' Massey, procuratores nostros in hac parte specialiter deputatos:

ac mandatum nostrum admittentes præsentata, ut eidem electioni de se canonice sic celebrata suum præberet consensum et assensum sæpius et cum instantia requisitus; idem tamen electus se pluries excusans, et suam insufficientiam allegans et pretendens, tandem post meridiem ejusdem diei, post excusationes multiplices, nolens ut afferuit ulterius resistere divinæ voluntati de divina confusus clementia annuit et consensit sub hac verborum forma. “ In Dei nomine, Amen. Ego Will’ Tebald, canonicus regularis ecclie de Bernwell, ordinis S^{ti} Aug’ Eliens’ dioc’ in eodem prioratu ordinem regularem expresse professus, in priorem dicti prioratus per conventum ejusdem ecclie electus, et ad consentiend’ eidem electioni de me factum per partem eligentium sæpe et cum instantia ac tempore debito requisitus, nolens ulterius divinæ resistere voluntati Christo nomine primitus invocato eidem electioni de me factæ et celebratæ de divina confusus clementia: In nomine S^{træ} individuae Trinitatis Patris, Filii, et Sp. S. ac beatæ Mariæ virginis, et S^{ti} Egidii, in cujus honore dicta ecclia est dedicata consensio in his scriptis.”

Cum igitur ejusdem electionis et electi confirmatio ad vos pertineat, rev’ pater, eidem paternitati vestræ nos presidens et conventus supradicti humiliter supplicamus et devote, quatenus processum electionis nostræ prædictæ approbantes, electionem nostram prædictam dignemini confirmare, cæteraque peregere quæ vestro in hac parte incumbunt officio pastorali, ut Deo autore, nobis et prioratui prædicto curæque eisdem imminenti velut gubernator et prior idoneus præesse valeat et prodesse; nosque sub ipsius laudibili regimine possimus coram Deo perenniter deservire. Ceterum ut vestra paternitas rev’ cognoscat evidentius vota nostra in præmissis, ut præmittitur concordasse ac nos in petitione hujusmodi existere unanimes et concordantes præsentis literas nostras electionis nostræ decretum continentes, sigillo nostro consignatas, ac signo et subscriptione mag^{ri} Rob’ Bredon notarii publici signat’, paternitati vestræ rev’ transmittimus p^{re} præsentis. Dat’ et acta fuerunt supradicta, præfixio et termini assignatio ad eligend’, &c. alia, ut præmittitur in domo nostra capitulari, anno, &c. 1474, indict’ 8, pontif’ sanctiss’ in Christo patris et dⁿⁱ nostri dⁿⁱ Sixti div’ prov’ papæ quarti anno 4^o, mensis vero Novembris 20 et 26; præsentibus tunc ibidem ad actus egregiis et discretis viris Mag^{ris} Rico Robynson decretor’, Symone Burgoyne legum doctoribus, ac Henrico Rudde in utroque jure bac’, Cov’ et Lich’, Norw’, et Linc’ dioc’, testibus ad præmissa specialiter vocatis.

Ego Rob’ Bredon, cler’ Ebor’ dioc’, pub’ autoritate apostolica et imperiali notarius; præmissis ceterisque omnibus et singulis dum sic ut præmittitur, sub anno, &c. superius expressatis, una cum testibus prænominatis, præsens personaliter interfui, eaque omnia et singula sic fieri vidi et audiui, scripsi, publicavi, et in hanc formam redegi publicam, meque hic subscripsi, signoque et nomine meis solitis et consuetis una cum sigillo communi dicti prioratus signavi rogatus et requisitus in fidem et test’ omnium et singulorum præmissorum.

Sequitur commissio ad confirmandum electionem. Sed confirmatio ipsa epi Eliensis vacat, vel commissarii Ricⁱ Bole archⁱni Eliens’.

N° II.

Alia Electio Prioris de Bernwell, Elienf' dioc'.

VACANTE prioratu de Bernwell per mortem naturalem bone memorie fratris Johis Poket, qui vicesimo octavo die mensis Augusti, anno D'ni mcccc sexagesimo quarto, infra prioratum predictum diem suum clausit extremum ipsiusque corpore subsequenter in dicta ecclesia ecclesiaste tradito sepulture, petita et obtenta ab illustr', &c. Edwardo rege Angl' et Franc', &c. licentia eligendi, &c. — die Lune, viz. 24^o die Septembr' [1464] congregati capitulariter confratribus et canonicis dicte domus, viz. Willmo Tebald supprior, Thoma Gate celerario, John Wyfbeck granatr' et receptor', Riço Fulburne sacrista, Thoma Bernard, Thoma Foke preceptore, Nicho Cagge, Johne Soham coquinario, Johne Poket succentor', Johne Cambrygg, Johne Resham, dicte ecclesie canonicis, diaconis et presbiteris invocata spiritus S'ti gratia, ymnoque *Veni Creator Spiritus* devote decantato—repente quasi per inspirationem spiritus S'ti concorditer et communiter placuit omnibus et singulis, fratrem Johem Whaddon, vicarium de Waterbeche, virum utique religiosum, in religione predict' expresse professum triginta annos etatis et amplius habentem, in eodem ordine ac in dicto prioratum admissum quasi uno spiritu una voce simul in priorem dicti prioratus eligere, ac eligimus in nostrum priorem, &c.

Assensus Regius super dict' elect'.

Edwardus, Dei gratia, reg' Ang' et Franc', et dñs Hib', ven' in Christo patri W. eadem grā epi Elienf', salutem. Sciatis quod electioni nuper facte in ecclesie conventuali S'ti Egidii de Bernwell de dilecto nobis in Christo frater Johne Whaddon, canonico ejusdem domus in priorem loci illius regium assensum adhibuimus et favorem, et hoc vobis tenore presentium significamus ut quod vestrum est in hac parte exequamini. In cujus rei testimonium has literas nostras fieri fecimus patentes. T. meipso apud Redyng, 28 die Septembris, anno R. nostri quarto.

Sequitur commissio W epi Elienf', ad confirmandam dictam electionem, directa magro Ricardo Bole, officiali nostro, &c. dat. Octob' 11, Anno Domini 1464.

Ex regro W. GRAY, epi Eliensis, f. 182.

N° III.

Appropriatio Ecclesie de Stowe Quye.

UNIVERSIS Sanctæ Matris filiis ad quos presentes littere pervenerint vel in futurum pervenire poterunt Willmus permiff' divina Eliens' Ep's salutem cum ben' Salvatoris Jhu Christi, et perpetuam rei gestæ memoriam, et fidem indubiam presentibus adhibere. Exhibite siquidem nobis pro parte dilectorum filiorum prioris et conventus mon' sive prioratus de Bernewell ordinis S'ti Augustini n're Eliens' dioc' petitionis series continebat, quod dicti mon' sive prioratus fructus et proventus eidem mon' sive prioratui in ipsius primevæ foundatione et donatione assignati et concessi, ob causas plures et diversas, et presertim propter carentiam, et alienationem advocacionis, et juris patronatus duarum ecclesiarum sanctorum Johis et Edwardi in Cantebr' existentium eis et eorum mon' sive prioratui olim appropriatarum, quarum advocacionem et jus patronatus collegium S'te Trinitatis de Cant', ad instantiam Christianissimi principis regis Henrici sexti per donationem et concessionem predict' prioris et conventus de Bernewell predict' de licentia et beneplacito rev' in Christo patris et dñi dñi Thome permiff' divina tunc Eliens' ep'i obtinuit et adquisivit, ac ipsas ecclesias appropriare et facere appropriari predicto collegio S'te Trinitatis de Cantebr' ut ipsarum ecclesiarum fructus et proventus in proprios usus et perpetuos sociorum dict' collegii S'te Trinitatis cedant effectualiter auctoritate dicti rev' patris Thome tunc ep'i Eliens' realiter et effectualiter obtinuit. Quarum etiam una propter exilitatem fructuum, destructionemque domorum, ac paucitatem inhabitantium per edificationem collegii regii in honore B. Marie et S'ti Nichi de novo erecti est auctoritate predicta alteri unita multum sunt deteriorati et diminuti. Quapropter predict' prior et conventus nobis humiliter supplicarunt, quatenus in recompensationem dict' duarum ecclesiarum sanct' Johis et Edwardi eis olim ut predicatur appropriatarum, ac ut cultus divinus in dicto mon' sive prioratu sustentari et augeri valeat in futurum, ecclesia paroch' de Stowe Quye n're Eliens' dioc', cujus advocacionem et jus patronatum predict' prior et conventus de Bernewell, per donationem et concessionem serenissimi principis dñi n'ri regis Henrici Sexti, [*Sequitur concessio et licentia regis*, habent legitime et obtinent eis et eorum mon' sive prioratui predict' eorumque successoribus unire, annectere et appropriare, et in eorum proprios usus perpetuo possidend' concedere dignaremur; et quod eidem ecclesie de Stowe Quye per vicarium temporalem idoneum, viz. per religiosum fratrem ejusdem mon' sive prioratus vel alium secularem, ad dict' religiosorum voluntatem instituend' et removend' poterunt deservire. Nos igitur cupientes quantum cum Dei possumus eidem priori et conventui ac eorum mon' paterna mansuetudine providere et eorum necessitatibus subvenire, dilectos in Christo filios priorem et capitulum ecclesie n're cath' Eliens' necnon archidum n'rum Eliens' ad tractand' una

cum magro Rogero Radcliff, LL. D. nro officiali et in hac parte commissarario ac vice et auctoritate nostris fungente de et super appropriatione et unione dict' eccle et ejus causis mandavimus et fecimus ad domum nram capitularem eccle nostre Eliensis ad certum terminum competentem vocari: habito insuper et precedente super premissa cum dicto priore et capitulo Eliens' ac nro archidō tractatu diligenti et solempni et secutis postea deliberacoe et causae cognitione debitis et maturis, in hujusmodi unione, annexione, et appropriatione requisitis, ac licentia dñi nri regis Henrici sexti sufficient' habita [*Sequitur alia licentia regia*] et quia aliunde prepediti ulterius examinationi et discussione prefati negotii personaliter non valemus magros Rogerum Ratcliff, officialem nrum, Ricum Laverok, LL. D. ac Willum Maliser, in decretis licentiatum, nostros assignavimus et deputavimus commissarios cum hac clauserta, *Ita tamen quod vos tres huic negotio cum effectu.*— [*Sequitur commissio, dat. Sept. 26, 1757.*] Cujus commissionis nostre onus executionis dict' magr Rogerus Radcliff in se assumpsit, et processit sub forma que sequitur. Nos Rogerus Radcliff predict' onus commissionis antedict' ob reverentiam dicti rev' patris committentis et ad instantem petitionem predicti prioris et conventus in nos suscepimus, et ulterius procedere ac dict' negotium ad effectum deducere cum Dei auxilio intendimus. Et tunc incontinenter comparuit Willus Tebald, itm canonicus regularis prioratus de Bernewell, pro priore et conventu ejusdem cum procuratorio sufficienti [*cujus tenor sequitur dat. Sept. anno D'ni mccccxvii.*] et quandam petitionem summariam porrexit, prout superius in exordio recitatur. Et tunc magr Edmundus Konyngesburgh, decret' Dñ. comparuit pro priore et conventu eccle cath. Eliens' cum procuratorio idoneo [*cujus tenor sequitur.*] Et tunc itm comparuit magr Thomas Bury, cum procuratorio sufficienti pro archino Eliens'; et tam ipse quam magr Edmundus predict' nomine dñorum suorum appropriationi fiende eccle paroch' de Stowe Quye predict' prioratui de Bernwell predict. expresse consensum dederunt pariter assensum, [*cujus Thome Bury procuratorium sequitur dat. Sept. 2, 1457.*] In Dei nomine, Amen. Auditis plenius et intellectis ac plene discussis per nos Rogerum Radcliff, commissarium antedict' meritis et circumstantiis cause sive negotii appropriationis, &c. eccle paroch' de Stowe Quye priori et conventui de Bernewell ac eorum successorum, &c. Christi nomine invocato procedimus in hunc modum. In Dei nomine, Amen. Quia per acta inacta, deducta, exhibita, allegata, et probata in causa sive negotio memorato invenimus partem prioris et conventus mon' sive prioratus de Bernwell suam suggestionem et petitionem plenius probasse et suggesta atque petita vera et justa fore et esse sufficient' fundasse, deduxisse, et probasse, nichilque effectuale per quemcunque ex adverso allegatum, objectum, propositum seu probatum fuisse aut esse quod ipsorum prioris et conventus mon' sive prioratus de Bernwell intentionem ledere posset seu quomodolibet impedire aut enervare: Idcirco nos Rogerus antedict' solum Deum pre oculis nostris preponentes de juris peritorum consilio, cum quibus communicavimus in hac parte super premissis et de predict', viz. prioris et capitali Eliens' et archidiaconi Eliens' expresso consensuet voluntate et per ea que in dict' causa sive negotio didicimus, recensitisque per nos primitus causis in petitione sive suggestionem contentis supradict' eccle paroch' de Stowe Quye in dict' Eliens' dioc' situat' salvis subscriptis, cum omnibus suis fructibus, redditibus, proventibus, oblationibus, decimis, possessionibus, juribus, pascuis et

pasturis, communibus et privatis, curiis consuetis et debitis cum franchesia fald' ducentarum ovium, libertatibusque et pertinen' tam spiritualibus quam temporalibus universis, prefatis priori et conventui eorumque successoribus in suos proprios usus perpetuis futuris temporibus habend' et possidend' annectend' uniend' et incorporand', fore pronunciamus, decernimus, et declaramus, ac realiter et cum effectu auctoritate nobis commissa appropriamus, annectimus, unimus, et incorporamus per hanc nram sententiam diffinitivam quam fecimus et promulgamus in hiis scriptis sic quod liceat pred' priori et conv' eidem ecclie deservire et ecclesiastica sacramenta ministrare per presbrum paroch' idoneum canonicum regularem ejusdem mon' sive prioratus vel alium secularem per ipsos religiosos instituend' et ad placitum removend' absque dotatione vicarie. Salvo jure et interesse pro modo incumbentis quod nichil sibi deperat pro vita sua. Et quia per hanc nostram sententiam diffinitivam potest prejudicium generari predicto rev' patri ep'o Eliens' et successoribus suis et ecclie sue cath' Eliens' ac Eliens' rch'no predict'; ideo pro jure et interesse ac indemnitate suis, predict' rev' patri ad synodum pasche et success', suis sede plena et ea quocumque modo vacante priori et capitulo Eliens' annum censum quadraginta denar' ac arch'no modo existenti ac futuris suis success' pro jure ac interesse ac indemnitate suis quibuscunque annum censum sex solidorum et octo denar' prefato arch'no Eliens' et ejus successoribus ad eandem synodum pasche per predict' priorem et conventum fideliter persolvend' cunctis futuris temporibus reservamus, inchoando eo tempore, quo fructus, redditus, et proventus ecclie de Stowe Quye ad ipsorum religionum possessionem et commodum realiter et effectualiter pervenerint; concedentes dict' priori et convent' auctoritate predicta liberam facultatem et auctoritatem per ipsos aut per ipsorum procuratorem in hac parte constitutum seu procuratores, prefatam eccliam paroch' de Stowe Quye cum suis fructibus et pertinen' univers' tam spiritualibus ac nostra auctoritate quam cito ecclia vacaverit vel vacare contigerit sive per mortem, sive per resignacoem, sive aliis quibuscunque modis legitimis, ingrediendi et nanciscendi, atque in suos proprios usus convertendi, possidend', et habend' de eisdem libere disponend', prout ipsis priori et conventui ac success' suis expedire videbitur juribus ep'alibus et archidiaconalibus ac dignitate ecclie cath' Eliens' et rectoris incumbentis pro tempore suo et aliorum ut premititur, semper salvis; presentibus dict' sententie prolationi mag'ris Hugon. Legh in Decr. Bacc, &c. testibus ad premissa vocatis et rogatis. Dat' et acta sunt hæc quoad prolationem sententie septimo die mens' Octobr, anno Domini millimo cccemo quinquagesimo septimo, in ecclia S'ti Sepulcri Cantabr'.

Et nos Willmus Eliensis ep's, &c. deliberatione prehabita omnia supradicta &c. nostra auctoritate recognoscimus, et de consensu prioris et capitule ecclie nro cathed' Eliensis ex certa scientia approbavimus, &c. Dat' 24 die Octobr, anno Domini mccccxvii, et nre cons' anno 4to.

Et nos prior et capitulum ecclie cath' Eliens' predicta recognoscimus, approbamus, ratificamus, &c. Dat. Oct. 26, A. D. 1457.

Et nos Johes Stokes, legum Dr. Archidiaconus Eliens' omnia et singula prout supra recitantur approbamus, ratificamus, &c. Dat. Oct. ult. A. D. 1457.

Deinde sequitur attestatio Notarii Publici, viz. ROBERT BREDON, Clici, &c.

Reg. GRAY, fol. 101, &c.

N° IV.

Commissio ad inquirend' super appropriatione ecclesie de Kingston prioratui de Bernwell.

THOMAS permiss' divina Eliens' epi's dilectis nobis in Christo filiis magro Johi Stokes, archino Eliens' LL. D. et Willmo Malster, in decretis licentiato, salutem, gratiam, et ben'. Cum nobis ex parte venerab' et religiosorum virorum, prioris et conventus prioratus sive ecclie conventualis Sti Egidii de Bernwell ordinis Sti Augustini nre dioc' extiterit humiliter supplicatum, quod cum dicti prioratus fructus, redditus, et proventus eidem mon' in ipsius primeva fundatione et dotatione assignati et concessi ob temporum subsecutorum et presen' detrimenta, viz. pestilentias solito frequentius ingruentes, terrarum sterilitates, cultorum et colonorum raritatem, servientium paucitatem, immoderata et excessiva eorum stipendia, ac augmentationem portionum vicariarum suarum in tantum decreverint, et exinanita existant et diminuta, ipsique prior et convent' taxationibus, exactionibus, impositionibus et aliorum diverforum onerum gravitate, quasi vicibus continuatis plus solito depreffi; nec non hospitalitate et sustentacoe pauperum et debiliu personarum ac aliorum ad dict' prioratum confluentium, multipliciter gravati existant ac servicia et consuetudines eidem debita ita sunt depauperata quod ipsius facultates hiis diebus non sufficiunt ad sustentationem congruam numeri canonicorum ex fundatione dicti prioratus limitati, nec verisimiliter sufficere debeant infuturum, quatenus ex premis causis et precipue in recompensationem duarum eccliarum paroch' sc' sanctorum Johis et Edwardi eisdem religiosis appropriat' quarum advocatio et jus patronatus collegium Ste Trinitatis de Canteb' ad instantiam regiam, per donationem et concessionem prioris et conv' de Bernwell predict' optinuit et sibi adquisivit, ac ipsas appropriare et facere appropriare collegio Ste Trinitatis Canteb' ut ipsarum eccliarum fructus in proprios usus et perpetuos sociorum collegii Ste Trinitatis predictae cedant effectualiter laborat, quarum una propter exilitatem fructuum destructionemque domorum ac paucitatem inhabitantium ad edificationem collegii regii in honore beate Marie et Sti Nichi de novo erecti, est alteri unita. Ut cultus divinus in dicto prioratu augeri valeat in futurum eccliam paroch' de Kingston nostre dioc' cujus jus obtinent patronatus, eis et eorum prioratui predicto eorumque successoribus unire, annectere, appropriare, ut in eorum proprios usus perpetuo possident, concedere dignaremur, et quod eidem ecclie paroch' de Kingston poterint deservire per vicarium temporalem, ad predict' religiosorum voluntatem removend' nos prout ex officii pastoralis debito astringimur subditis nris quatenus in nobis est justicie complementum impertiri, eorumque necessitatibus provideri cupientes, et pro eo quod aliunde prepediti examinationi et discussioni prefati negotium personaliter minime superesse valemus ad inquirend' pronunciand' examinand' et ea quae fuerant visa seu quomodolibet oportuna, cum coercicionis cujuslibet canonica potestate, vocatis de jure vocandis, vobis, de quorum fidelitate atque industria ad plenum in dno confidimus,

fidimus, committimus vices n̄ras, ita quod ambo vestrum procedant et exequantur id negotium. De die vero recept' presentium, una cum modo et forma inquisitionis, examinationis, pronunciationis, atque diffinitionis predict', ac de omnibus et singulis que feceritis in premissis, nos certificetis per literas v̄ras patent' harum seriem continent' sigillo autentico figillat'. Dat' in castro nostro de Wysbech, penultimo die mensis Septembr' anno Domini mccccxlvito, et nostre cons' anno tertio.

(Regr' Tho' BOURGCHIER, epi Elien' f. 7.)

Emanavit commissio ad inquirend' de jure patronatus ejusdem ecclesie de Kyngeston. Dat' Mar' 3, anno Domini, 1457.

Certificatorium ejusdem Commissionis.

INQUISITORES dicunt quod dicta ecclesia de Kyngeston vacat ad presens per mortem dñi Thome Stafford alias Haldenham capni ult' rectoris ibm, et vacare incepit octavo die mensis Febr' ult' elapso. Et quod prepositus et scolares coll' regalis B. Marie, et S̄ti Nichi de Cantebr' sunt veri patroni ejusdem eccle et hac vice p̄fat' Tho' Rotherham et Walterus Feld, clici, per quamdam concessionem specialem predict' preposit' et seclar' eis inde fact' sunt veri patroni eccle aut dicte. Et magr Johes Derby, LL. D. ultimo presentavit ad eandem. Et dicta ecclia non est litigosa neque pensionaria priori et conventui de Bernewell, prout per evidencias dict' prioris et conv' coram nobis judicialiter exhibitas plenius in eisdem liquet. Et de communi estimatione valet annuatim viginti marcas, nec dictus magr Robertus Wodelarke presentatus est alibi beneficiatus, sed est vir conversacois laudabilis, bene morigeratus, ac in sacris ordinibus constitutus, sacreque theologie professor, &c. Que omnia et singula certificamus, &c. Dat' Mar' 14, 1437.

Mar' 10, anno 1457, Robertus Chamberlayn, armiger, presentat Mich' Guyan, ad rectoriam de Kyngeston.

Emanavit altera commissio ad inquirend' de jure patronatus ejusdem ecclesie de Kyngeston, &c. Dat' Mar' 14, 1457.

Certificatorium inquisitionis predicte.

INQUISITORES dicunt ut supra. Dicunt insuper quod nunquam sciverunt aut audiverunt quod predict' Robertus Chamberleyn, aut aliquis alius nomine consimili aliquem titulum seu jus presentandi haberet ad eandem eccliam, sed quod quatuor incumbentes noviter presentatos ad eandem titulo et jure magrorum Willmi Derby, et Johis Derby, erant pacifice possessionati in eodem, &c. Que omnia certificamus, &c. Dat' Cantebr', Jun' 2, 1458.

Litera

Litera domini Rogeri Chamberlayn, militis, domino directa figillo.

To the Right Reverende Fadir, in God, and my singular good L. the
Bishop of Ely.

REVERENDE Fadir in God and my good lord, I recommande me to you, and certifie you, that the provost of Cambridge and I have communed together for the patronage of the church of Kyngeston, in the county of Cambrig. And where Robert my son hath presented to the s^t church, Please it your lordship to have in knowledge, and thereby to understande that his title of presentement is not so strong as he was enformed and counsailed so to doo, but the provost of Cambrig hath thereto verry right and title as by his evidences and the possession of his title plenerly I am both enformed and acertayned. Wherefore I pray your good lordship to admitte the said provost's title without longer respite or delay, for any interesse that either I or my said son shold have thereynne. And this my writing under the seal of myn armes shall be sufficient surety to yourself from all manner of hurts et claymes, either by my said son or me as in the lawe or otherwise in that behalve. And my right good lord, God have you ever in his keeping. Written at my maner of Gidding, the III day of Jule.

ROGER CHAMBERLAYN, knight.

(Reg. GRAY, epi Eliens', fol. 29--34.)

Renunciatio magistri Roberti Wodelarke juris et tituli sibi competen', in ecclesia de Kyngeston, ratione presentationis supra dicte, Dat' Maii XI, 1458.

Anno 1458, Maii x, Robtus Woodlarke, prepositus coll' regall', &c. et scolares ejusdem eccle de Kyngeston veri presentant Willm Towne sacre theol' professorem ad eandem ecclm, et Julii 5, anno predicto dñs epi admisit eundem Willm Towne ad ecclm de Kyngeston, ad presentacoem ejusdem collegii.

Anno 1458, Jul' 18, Dñs concessit magro Waltero Smyth, sacre theol' Bac' rectori eccle paroch' Sti Benedicti Cantebr licentiam celebrandi et per alios cap' nos idoneos celebrari faciend' divina in quadam capella in honore sancte Anne infra paroch' eccle fundat'.

(Ibm f. 38.)

N° V.

Taxatio ecclesiar' Eliens' dioc' auctoritate ven' patrum dominor'
 Winton' et Lincoln' ep'or' facta per mag'ros R. archin' Eliens'
 et G. rectorem ecclesie de Somersham, post festum S'ti Andree,
 A. D. MCCXCI. Ex libro nigro Eliensi.

Decanatus de Chesterton.		Valor.	Decim.
Heketon, prior de Bernewell, percepit in decimis		2 m.	2s. 8d.
Hifton, St. Andrew, eadem		40s.	4s.
Rampton,		46s. 8d.	4s.
Midelton,		7 m.	9s. 4d.
Landbech,		20s.	2s.
Impiton,		20s.	2s.
Decanatus de Cantabridge.			
Cambridge, St. Edward		1 m.	1s. 6d.
St. Botulph		4 m.	5s. 4d.
Capella de Bernwell,		20s. 8d.	2s.
Decanatus de Brunne.			
Lollworth, portio pr' de B.		40s.	4s.
Hungre hattle, pr' de B. percepit		5s.	6d.
Kempston,	in decimis	40s.	4s.
Toft,		40s.	4s.
Decanatus de Berton.			
Berton,		4s.	5d.
Cotys,		4s.	5d.
Hafelynsed,		24s.	2s. 5d.
Wynepole,		10s.	1s.
Trumpyngton,		2 m.	2s. 8d.
Decanatus de Campes.			
Stowe,		40s.	4s.
Swafham monialium		15s.	18d.
Pamfesworth,		22s.	2s. 8d.
Nomina patronorum ecclesiar' et vicariar' Eliens' dioc'.			
Ecclesia St. Sep' Cantab' approp' priori et conventui de Bernewell, et ibi vicar' ad presentar' eorund' prior' et convent.			
Ecclesia S. Petri Cant' appr' pr' et conv' B. et regitur p capnum paroch'.			
Ecclesia St. Egidii et Omn' Scor' ad castrum appr' eisd' priori et conv' et regitur p cap' paroch'.			
Hospitale de Steresbrygh: est ibi hospitalarius ex collacoe epi Eliens'.			
Capella de Bernwell appr' priori ejusdem et reg' p cap' paroch'.			
Decanatus			

Decanatus de Chesterton.

Ecclia de Waterbech appr' pr' &c. de B. Est ibi vicar' ad present' eorund'.

Ecclia de Madyngle appr', &c. Est ibi vicar ad present.

Decanatus de Campes.

Ecclia paroch' de Stowe cum Quye non approp'. Est ibi rector ad present' Johis Trailly et Johis Dengayne ratione manerior' fuor' in Quye et Stowe alternis vicibus [modo appropriat' priorat' de Bernwell. Est ibi presbyter paroch' '.]

Ecclia de Hyngeston app' pr' &c. de B. Est ibi vicar' ad present' eor'.

Decanatus de Berton.

Ecclia de Hardleston, } ap' p' et c. de B. Est ibi v' ad present' eor'.

Ecclia de Cumbreton, }

Decanatus de Shengeye.

Ecclia de Gylden Morden. }

Ecclia de Tadelowe. }

Ecclia de Cranden. }

ap' p' et c. de B. Est ibi v' ad present' eor'.

Decanatus de Brunne.

Ecclia de Caldecot. } ap' p' et c. de B. Est ibi v' ad present' eor'.

Ecclia de Brunne. }

N^o VI.

Placitum inter Cancellarium univers' et prior' de Barnewell, de x marcis, quas idem prior annuatim solvere tenetur facer-dotibus in universitate studentibus et divina pro anima epi Eliens' celebrantibus. 14 E. I.

PRIOR de Barnewell summonitus fuit ad respond' magro Thome de Henyngham cano' univ' Cant' de p'tio quare cum idem prior sacerdotibus in theologia univ' Cant' student' ac pro anima magri Willmi de Kylkeny quond' epi Eliens' divina celebrantibus x marc' ad eor' sustentationem singulis annis p'solvere debeat et ipse et Jollanus prior, &c. p'decessor suus p' solvere consueverunt p' cartam ipsius Jollani et conv' sui quam cano' inde habet, qui quidem sacerdotes p' p'æd' priorem et univ', &c. qui pro tempore, &c. deberent provideri, &c. quas x marc' &c. p'æd' prior p' biennium subtraxit indebite, &c. quo minus p'æd' sacerdotes, &c. studere ibm et celebrare non possunt, &c. Et &c. concordatum est, &c. et habent chirographum, &c. inter assis' coram just' regis apud Cant' in octavis S'te Trin' A. 14 R. Ed' I.

Rot. 22. in cust. Thef' et Cam' Seacc'.

^x What is in hooks is in a later hand.

N° VII.

Mandatum ad monend' omnes illos malefactores qui tempore insurrectionis intrarunt prioratum de Barnewell, et prostraverunt arbores ibidem et alia mala ibidem perpetrarunt, quod restituant, alias denuncientur.

THOMAS, &c. dilectis filiis universis et singulis, decanis, rectoribus, vicariis et capellis paroch' per civitatem et dioc' nostras Eliens' constitutis, salut', grat', et bened'. Ex parte relig' virorum prioris et conventus de Bernewell ordinis canon' Scti August' nostrae dioc' nobis extitit gravi conqueſtione monſtratum quod cum omnes illi et ſinguli qui de domibus, maneriis, grangiis, aut locis aliis ad archiep' episc' vel alias personas ecclesiasticas pertinentibus quicq' præter voluntatem aut permissionem dominorum vel eorum qui ſunt huiusmodi rerum custodes deputati, abſtrahere, conſumere, vel contractare preſumpſerunt, abſtrahi, conſumi, vel contractari fecerunt: ſeu huiusmodi abſtract' conſumpſ, contract' ſuo nomine vel a familiaribus ſuis factam ratas habuerunt vel acceptas; ſunt ipſo facto tanquam eccleſiaſticae libertatis et immunitatis violatores, maioris excom' ſententia per ſacras conſtitutiones provinciales per bonæ memoriæ nuper Cantuar' archiep' cum ſuis ſuffraganeis in ea parte editas, debite publicatas, et admiſſas, lata damnabiliter involuti. Quidem tamen iniquitatis filii ſuæ ſalutis prorsus imemores die Lunæ prox' poſt feſt' Scti Barnabæ Aprili ultimo præterito aliſque diebus ſequentibus quendam fundum ſuum apud Bernwell inter prioratum ejuſdem et magnam ripam quem eidem prioratui nuper contulerat pia devotio fundatorum muris, ſepibus, ſoſſis, et aliis clauſuris undique vallatum, cum ſecuribus, gladiis, ſuſtibus, et aliis armorum generibus cum magno ſtrepitu et clamore et contra voluntatem dicti prioris et conventus hoſtiliter invadentes ac proſtratis muris, ſepibus, et clauſuris aliis penitus dirutis ipſum fundum furioſo ſpiritu ſunt ingreſſi, arboreſque omnes et ſingulas groſſas et parvas cujuſcunque generis, ac ſubboſcum et ſilvam ceduam, lignaque arborum ceduarum inibi creſcent' proſtraverunt et funditus exciderunt, ſicque proſtrat' et exciſ' una cum aliis bonis ibidem inventis a dicto fundo abduxerunt, cariarunt, contraxerunt, alienarunt, vendiderunt, et in uſus ſuos temerarios pro ſuo voluntatis libito converterunt, occultarunt, et detinerunt, occultant et detinent in preſenti; eave proſterni, excidi, abduci, caritari, contrectari, et alienari ac vendi, occultari et detineri procurarunt et fecerunt, ſeu huiusmodi proſtrationem, exciſ', abd', cariat', contract', alien', et vendit' ac occult' et detent' ſuo nomine vel a familiaribus ſuis factam ratas habuerunt et habent pariter et acceptas: ſententiam excom' maj' in dictis conſtitutionibus et aliis a jure contra preſumptores huiusmodi latam ipſo facto proculdubio nequiter incedendo; in animarum ſuarum grande periculum, dictor' relig' prejudicium et enormem læſionem, ac libertatis et immunitatis eccleſiaſticae evidens detrimentum, et aliorum exemplum peſſimum plurimorum.

Nos nolentes tam horrendum facinus et detestabile flagitium conniventibus oculis incultum pertransire, ne cæteris tribuatur audacia consimilia perpetrandi: ad sanctæ matris ecclesiæ injuriam ulciscend' contra presumptores hujusmodi in genere p censuras ecclesiasticas decrevimus procedend', et quanquam dicti presumptores sint ipso facto majoris excom' sententia, ut præmittitur, innodati, ex habundantis tamen, et ad eorum maliciam convincend' vobis et vestrum cuilibet conjunctim et divisim in virtute obedientiæ committimus et mandamus quatenus omnes et singulos præsumptores hujusmodi de quibus præmittitur in ecclesiis et locis publicis, ac horis et temporibus competentibus, ubi expedire videritis primo, 2° et 3° peremptorie requiratis et moneatis in genere, quos nos etiam tenore presentium consimiliter requirimus et monemus: quod prædicta dampna, gravamina, et injurias p ipsos perpetrat' quatenus ad unumquemque eorum attinet, præfato priori et conv' seu saltem senescallo ejusdem ipsorum nomine agnoscant fideliter et revolvent, ac bona quæcunque supra dicta p ipsos seu eorum aliquem possessa vel occupata, qualicunque titulo ad eos perveniant, restituant, realiter et integraliter liberent, si extent, vel sibi competenter satisfaciant pro eisdem si non extent, infra sex dierum, 2 pro primo, 2 pro 2do, et reliquos 2 pro tertio et perempt' termino. Ac monitione canonica assignamus, et vos etiam assignetis, quod si forte monitionibus vestris, immo vero nostris, non paruerint, cum effectu, ipsos omnes et singulos præsumptores hujusmodi sic ut præmittitur monitos et hujusmodi monitionibus non parentes lapso dict' monitionis vestræ termino in dictam maj' excom' sententiam incidisse et excommunicatos fuisse et esse, et pulsatis campanis, candelis accensis, ac cruce erecta, assumptis ad vos omnibus et singulis capellanis in ecclesiis vestris celebrantibus, stolum in collo vestro habentes, publice et solempniter denunciatis, et denunciatis quilibet vestrum qui present' mandar' nost' receperit exequend' ab hujusmodi denunciatione non cessantes quousque aliud a nobis habueritis in mandatis. Et quod feceritis in præmissis qualiterque præmissa fueritis executi, nos cum per partem dictorum religiosorum fueritis congrue requisiti clare et distincte certificetis et certificet quilibet vestrum qui in hac parte congrue fuerit requisitus. Dat. in castro nro de Wisbech, 23 die Julii, anno dni 1381, et nre consec' 8vo.

Epit. Regist. episc. p. 67.

N° VIII.

On Monday the 12th of July, 1549, the vice-chancellor called all the heads that were present at the schools together in haste, to go with him after the mayor, to Barnwell, to put a stop to a mob that were up, and marching along with a drum to the number of about 200, to pull down the fences of C. Smythe's close. The vice-chancellor and mayor met them that day, and came to agreement in St. Mary's church the same day; but it was with a good deal of difficulty that they were at last prevailed upon to disperse and be quiet. (Miscel. P. C. C. C.).

N^o IX.

The Decree of the Court of Augmentation for 20s. paid yearly out of Barnwell priory.

An Arbytrement for 20s. to be paid for the House of Barnewell, to the University, for the liberties in Midsummer Fair.

Ex Libri Nigri pergamei Acad'æ Cantab' folio non numerato prope initium.

HENRICUS Octavus, Dei gratia, Angliæ, Franciæ, et Hiberniæ, rex, defensor ac in terra ecclesiæ Anglicanæ et Hibernicæ supremum caput: Omnibus ad quos præfentes literæ pervenerint salutem. Inspeximus inter recorda et irrotulamenta curiæ augmentationum reventionum coronæ nostræ quoddam decretum per cancellarium et consilium curiæ prædictæ factum in hac verba. Memorandum quod termino Scæ Trinitatis, videlicet, vicesimo nono die Junii, anno regni domini nri Henrici octavi Dei grā A. F. et H. regis fidei defensoris et in terra ecclesiæ Angliæ supremi capitis xxxvi placitum fuit in curia dicti domini regis augmentationum reventionum coronæ suæ quoddam scriptum indentatum sub sigillis Willielmi Bokenham, Will' Burgoyne, et Thomæ Patenson, cleric', et Johis Puregold, generosi, factum et sigillatum, cujus quidem scripti tenor sequitur in hac verba. ' To all trewe Christen people, to whom this presente wrytyng indented shall come, we William Betenham, William Burgoyne, Thomas Paterfon, clerks, and John Puregold, of Cambridge, gentleman, sende greatinge in our Lord Gode everlasting. Whereas certain variancies, striffs, and debats were late had, moved, and dependinge betweene John, by God's sufferance, byshop of Rowcheester, and chauncelor of th' universitie of Cambrige, and the maysters and scholers of the said universitie on that one partie, and Willm prior of the monastery or priory of Barnewell next Cambrige in the counti of Cambrige, and the convent of the same place, on that other partie, of, for, and upon the right, title, clayme, and possession of certeyn lyberties, fraunchises, graunts, customes, and privileges, which the sayde chaunceler, maisters, and scholers, clayme to have and enjoye to them, and to ther successors, agevnst the sayde prior and convent, and ther successors, in the fayer of the sayde prior and convent, holden at Barnewell, called Midsomer Fayer, during the tyme of the sayde fayer: For th' appeasing whereof the sayde parties have compromitted themself to stande and obey th' arbytrement, ordynance, and jugement of us the foresayde Willm Bokenham, Willm Burgoyne, Tho' Patenson, and John Puregold, arbitrors betweene the sayde parties, by the will and assent of both parties indifferentlye chosen of and upon the premises. And to stande and obey eyther of the sayde parties are bounde to th' other in the somme of C marks sterlinge, by their severall writings obligatorie,

sealyd

seald with their comon sealys, beringe date the vi daye of the monthe of June, the 21 yere of the reigne of kynge Henry the VIIth. wyth condytyons accordynge, so that our sayde awarde, ordynance, and jugemente were made, and at this fyde the feaste of the translation of St. Edwarde the kynge and marter nexte folowinge after the date of the sayde obligatons, as yn the same obligatons more pleyne dothe appere. And we the sayde arbitrors takyng upon us the charge to awarde and deyme atwixt the sayde parties of, and upon the premissys, have dyvers tymes sene, hard, and examenyd the evydence, wrytynge, tytles, and proves of bothe the sayde parties concernynge the sayde premissys, with good and great deliberatyon; and therupon, by th' assent, wyll, and agreement of bothe the sayde parties, make our awarde, ordinance, and jugement atwixt the sayde parties, the 18th daye of the sayde monythe of June, the said 22 yere of the reigne of kynge Harry the 7th, in maner and forme folowinge: Fyrste, we awarde and deme that the said prior and convent, and their successors and assigns, shall have, holde, and enjoye, for the terme of 60 yers next folowinge after this present date, yf the said fayer contynewe and endewe so longe, all suche lyberties, franchises, and pryvilegys, as the sayde chaunceller, maysters, and scholers aforesayde, or any of them clayme to have, and of right have had withyn the sayde fayer duryng the tyme of the fayer, exepte cognytion of ples, and all other causys, whereas a scholer, scholers, servaunte, or common mynyster of th' universytie, or eny of there servaunts be parties; and also we awarde and deme, that at the ende and terme of the saide 60 yers, that the sayde prior and convent, and ther successors and assigns, shall have, holde, and enjoye all the sayde premissys, exepte afore exceptyd, unto the ende and terme of other 60 yers as then nexte folowinge: that the sayde prior and convent wyll therunto agree, and therof make notice unto the said chaunceller, maisters, and scholers, or to ther successors, before th' end of the sayde 60 yers, so that the sayde fayer continue and endewe so longe. To and for the whych premises we also awarde and deme that the sayde prior and convent, ther successors and assigns, shall yelde and paye yerelye dewryng all the sayde terme to the chaunceller, maister, and scholers, and to ther successors, or to ther certeyne attorneye or assigns, 20s. sterlyng, at two termes in the yere, that is to witte, atte the feasts of Seynt Michael th' Arkeangel, 13s. 4d. and the Annuntiatyon of our Lady, 6s. 8d. duryng all the sayde term: And over that we awarde and deme, that yt shall not be laweful to the said prior and convent, ther successors nor assigns, the said term and interest yn the premissys to anye person or persons to lete, gyft, or assigne, without the wyll and assent of sayd chaunceller, maisters, and scholers, and of other successors. Into wytnes wherof to bothe parts of our awarde and jugement, whereof the one parte to remaine towarde the sayd chaunceller, maisters, and scholers, and th' other towards the saide prior and convent, and their successors, we the sayde arbitrors have set our sealys the sayde 18th daye of June, the sayde 21st yere of the reigne of king Harry VII.

p me, W. Bokenham; p me, Willm Burgoyne; p me, T. Patenson; p me, J. Puregold.
 Confermed bi decree in the Court of augmentation.

N. B. This sentence is written with archbishop Parker's own hand, which see in the beginning of the black parchment book.

N° X.

Among Hare's Collections in the Cotton Library. Faustina, C. III.

Rescriptum Gregorii Papæ IX. ad priorem de Bernewell et cancellarium univ' de quodam statuto observari faciendo pro custodia sigilli monasterii Westm' sub 3 clavibus, quar' una semper in manu abbatis ibidem remaneat.

GREGORIUS epus servus servorum Dei dilectis filiis priori de Bernewell, et cancellario de Cantabr' Eliens' dioc' sal' et aplicam bened'. Exposita nobis dilecti filii abbatis Westm' petitio continebat quod cum olim venerabili fratri nro epo et dilecto filio priori Elien' et college ipsor' visitationem ipsius monasterii duxerimus committendam dicto collega legitime excusato, iidem visitatores personaliter accedentes ad locum et intelligentes quod nonnulli committebantur ibidemque vergebant in iacturam ejusd' monasterii et a regulari modestia plurimum dissonabant ut cum sigillum predicti monasterii sub tribus clavibus et a tribus monachiis servaretur et abbate in consulto predicto idem monasterium esset ad providendum quibusdam clericis secularibus p' conventus sui literas obligatum et multa de bonis ejusd' p' dictum conventum alienata illicite vel distracta vel in enormem ipsius monasterii lesionem, ut de cetera una de predictis clavibus p' abbatem servaretur eundem et alia quædam provide statuerunt ibidem pro reformatione ordinis et observantia regulari prout in eor' literis dicitur plenius contineri. Quare fuit nobis humiliter supplicatum ut statuta ipsa faceremus firmitatem debitam obtinere. Quocirca discretionem nram p' apostolica scripta mandamus quatenus statuta ipsa sicut rite ac provide pro utilitate ipsius monasterii facta esse constiterit faciatis sublato appellationis obstaculo firmiter observari, contradictores p' censuram ecclesiasticam appellatione postposita compescendo. Datum Perusii, 7 kal. Dec' Pontificatus nri anno 8.

Ex Bib. Cotton. Faustina, C. III. f. 189.

N° XI.

Querelæ communitatis ville de Lenn Regis contra burgenfes ville Cantebr' et priorem de Bernewelle de quibufd' injuriis.

RAD'US de Henmore, qui fequitur pro tota communitate ville Lenn, venit et queritur de cōne burge Cantebr', et de priore de Bernewell, de hoc quod ipfi injufte diftrinxerunt hōies ville de Lenn venientes cum mercandis fuis apud Cantebr' et apud nundinas de Reche et de Bernewell, pro ftallagio et theloneo. Qui dicunt quod ipfi habent cartam dñi regis nunc in qua continetur quod id̄ dñs rex conceffit eis quod quieti fint de theloneo, ftallagio, paffagio et libertatibus prout plenius continetur in predicta carta p totum regnum Anglie excepta civitate London'. Et dicunt quod ballivi de Cantebr' et prior de Bernewell funt ficut in feifina de vadiis burgenfium de Lenn, exigendo ab eis thelonium et ftallagium contra tenorem predictæ carte, et petit illa vadia fibi reddi quieta.

Et major Cantebr' et prior de Bernewell modo veniunt et petunt predictam cartam fibi oftendi, et bene concedunt quod fi contineatur in p̄dicta carta quod quieti effe debent. Et fuper hoc venit p̄dcus Rad̄s et oftendit eis p̄dictam cartam in qua continetur quod quieti effe debent de theloneo et ftallagio, et ideo confideratum eft quod p̄dictus Rad̄s habeat vadia fua quieta, &c. Et preceptum eft predictis majori et priori ne amplius prefumant devadiare hōies de Lenn pro ftallagio vel theloneo contra tenorem carte fue fuper gravem forisfacturam.

Plac. Cor. ap. Canteb. cor' juft' itin' in Octavis S̄cæ Trin. 14 E. I. in cuft' Thef. et Camerarium Scacc'. Fauftina, C. III. f. 220.

N° XII.

Bulla Eugenii papæ priori et conv' de Bernewell, cujus virtute valeant demittere ad firmam fuas poffeffiones, &c.

EUGENIUS ep̄s et papa dilectis filiis priori et conventui prioratus de Bernewell, ordinis St. Auguftini Elienf' dioc' falutem et ap̄licam benedictionem. Sacre religionis fub qua devotum Altiffimo exhibetis famulatum promeretur honeftas, ut in hiis que favoris funt et gratie nos vobis promp' gaudeat inveniffe. Cumque ficut exhibita nobis nuper pro parte veftra peticio continebat, vos nonnullas eccl̄as, terras, poffeffiones, penfiones, et porciones prioratui veftro de Bernewell ordinis S̄ti Auguftini Elienf' dioc' canonice annexas et appropriatas ac ad illum legitime pertinentes habere nofcamini, quas per vos ipfos perfonaliter commodeque regere
et

et gubernare non possitis, et pro ipsius utilitate prioratus plerumque conveniat ecclesias, terras, possessiones, et porciones easdem personis aliis pro certa annua reservatione in arrendam vel annuam pensionem concedere poteritis, et assignare pro parte vestra, nobis fuit humiliter supplicatum, ut vobis ecclesias, terras, possessiones, pensiones, et porciones prefatas quibuscunque personis etiam laicis, arrendandi, locandi, seu ad firmam vel annuam pensionem concedendi, licentiam concedere, ac alias super hiis oportune providere benignitate apostolica dignaremur. Nos igitur hujusmodi supplicationibus inclinari, ut ecclesias, terras, possessiones, et porciones supradictas, ubicunque, et in quibuscunque consistant, personis etiam laicis hujusmodi perpetuo vel ad tempus de quo vobis videbitur arrendari locare, seu ad firmam vel pensionem hujusmodi concedere et assignare, ac ipse persone laice ecclesias, terras, possessiones, et porciones predictas in arrendam, locacionem, seu firmam, vel pensionem premissam recipere et retinere libere liciteque valeatis, et valeant vobis et ipsis, auctoritate apostolica concedimus per presentes diocesanos locorum et aliorum quarumlibet super hoc licentiam minime requisita: Non obstantibus constitutionibus apostolicis aut legatinis seu synodalibus vel provincialibus; necnon prioratus et ordinis predictorum juramento, confirmacione apostolica, vel quavis alia firmitate, roborat': statut' et consuetudinibus ceterisque contrariis quibuscunque. Nulli ergo omnino homini liceat hanc paginam nostre concessionis infringere, vel ausu temerario contraire. Si quis autem hoc attemptare presumpserit, indignacionem omnipotentis Dei et beatorum Petri et Pauli apostolorum ejus se noverit incursum. Dat. Florencie, anno Incarnacionis Domini millesimo cccmo xmo secundo, quarto kln' Januar', Pontificatus nostri anno duodecimo.

Exhibita fuit Original' in regro dñi epi Eliens' xij die Oct. anno Dñi 1424, coram ven' viro magro Rogero Radclyff, LL. D. offic' Eliens', per dñm Wil' Theobald canonicum dicte domus de Barnewell.

Extract' e regro vet' Eliens' vocat' Le Black Book.

N° XIII.

Processus Barnewellenfis,

five,

Processus habitus pro confirmatione quorundam statutorum, privilegiorum, necnon consuetudinum universitatis Cantabr', prout habetur in universitatis registro vulgariter dict' The Black Book.

MARTINUS ¹ servus servorum Dei dilectis filiis priori mon' de Bernewell, per priorem soliti gubernari, Eliens' dioc', et Johi Depyng canonico Lincolnienfi in eadem dioc' residenti salutem et aplicam ben. Sincere devotionis affectus quem dilecti filii nri doctores et scolares universitatis studii Cantabrigiæ Eliens' dioc' ad nos et Romanam gerunt eccliam promeretur ut eorum petitionibus illis presertim p quæ ipsorum privilegia et jura conserventur eis' favorabiliter annuamus. Sane pro parte doctorum et magistrorum et scholar' nobis nuper exhibita petitio continebat quod olim felicitis recordationis Honorius primus predecessor n'r pro incremento et in favorem doctorum et scolarium qui tunc erant et pro tempore forent universitatis hujusmodi p quasd' literas sub dat' Romæ apud S. Petrum anno ad incarnatione Dñi ^cvi^o ^cxxiiii. 7mo. die mensis Feb' inter cetera districtius inhibuit sub pœna excommunicationis quam veniens in contrarium incurreret ipso facto ne quis archiepus, epus, archidiaconus, aut eorum officiales in aliquem doctorum et scolarium eorundem suspensionis vel excommunicationis seu interdicti sententias ferre aut ipsos vel familiares eorum molestare presumerent, sed rector ipsorum doctorum et scholar' de consilio saniorum et seniorum ejusd' universitatis secundum eorum statuta, caritate semper media, corrigere et emendare studeret prout studentium saluti magis videret expedire. Ac etiam piæ memorie Sergius etiam papa primus similiter predecessor n'r etiam pro incremento et favorem hujusm' ^{mo}dc^o, ^{mo}xc^o, ^{mo}ix^o, die tertio Maii, inter alia decrevit quod nulli archiepiscopo seu episcopo licet universitatem predictam aut aliquem doctorum et scholar' eorundem suspendere, vel excommunicare, seu quomodolibet sub interdicto ponere absque summi pontificis assensu vel ejus speciali mandato prout in ipsis lris dicebatur plenius contineri, quodque super inhibitione ac decreto necnon eorund' predecessorum supinde confectis hujusm' quedam ipsius universitatis antiqua statuta communi consensu et deliberatione matura magistrorum doctor' predictor' ad bonum regimen et stabilitatem ejusd' universitatis ordinata fundantur. Et quod etiam ipsorum inhibitionis decreti ac lrarum vigore cancellarius dictæ universitatis pro tempore existens, qui sub cancellarii denominatione inibi vicem rectoris obtinuit omnimodam super corrigendis, et decidendis causis et negotiis supponitos et psonas hujusm' continentibus jurisdictionem ecclesiasticam et spiritualement exercere consueverit, cum autem sicut eadem petitio subjungebat de originalibus doctorum predecessor' lris hujusm' ex eo quod propter diuturnitatem temporis cum jam septinginti anni et ultra

¹ Martin V.

ab illarum concessione defluerint, aut ex earum custodum negligentia aut alias casualiter deperditæ vel amissæ sunt, licet plurimæ ipsarum copiæ de antiquissima scriptura in archivis ejusd'. Universitatis reconditæ extare noscantur, doceri nequeat, pro parte nostrorum doctorum et scholarum prefator' nobis fuit humiliter supplicatum, ut eorum et dictæ universitatis statui et indemnitatib' sup' hiis oportune providere de benignitate aplice dignaremur, nos igitur de premissis certam notitiam non habentes hujusmodi supplicationib' inclinat' discretioni v'ræ per aplice committimus et mandamus quatenus singularum harum singulis copiis hujusmodi in forma publica nobis exhibitis, si et postquam nobis legitime confliterit nros doctores et scholares qui pro tempore fuerunt ac universitatem predictos in pacifica possessione vel quasi usus et exercitii ecclesiasticæ et spiritualis jurisdictionis ac observationis, inhibitionis, et decreti hujus a tanto tempore fuisse et esse quod memoria in contrarium non existit eisd' mag'is doctoribus et scholar' observantiam inhibitionis et decreti ac usum et exercitium jurisdictionis ecclesiasticæ et spiritualis hujusmodi autoritate nra approbetis ac etiam confirmetis, non obstantibus premissis necnon aplicis et provincialibus, et sinodalibus ac bonæ memorior Octonis et Octoboni olim in regno Angliæ sedis aplice legatorum constitutionibus, ceterisque contrariis quibuscunque; quod si non ambo hiis exequendis potueritis commode interesse alter vrum eo nichilominus exequatur. Dat' Romæ apud Sctos Apt's secundo nono Julii, pontificatus nri anno 13mo.

Reverendo in Christo patri et dno dno Henrico ¹ Dei gratia Cantuar' archiepo et Phillipo ² ejusd' gra Eliens' epo eorum vicariis in spiritualibus ac offic' omnibusque aliis et singulis quorum interest vel interesse poterit, et quos infra scriptum tangit negotium vel tangere poterit quomodolibet in futurum cujuscunque dignitatis, status, gradus, ordinis, conditionis, aut præminentie existant, seu quæcunque nomine censeantur, ad quorum notitiam presentem nrum processum seu contenta in eodem contigerit pervenire poterit, prior prioratus de Bernewell, Eliens' dioc' executor et commissarius ad infra scripta una cum ven' viro' magro Johne Depyng, canonico Lincoln, collega nra licet tunc absente et legitime excusato cum illa clausula (quod si non ambo) a sede aplice deputat' salutem in dno et mandatis nostris imo verius aplice firmiter obedire. Lras sanctiss' in Christo patris et dni nri Martini divina providentia Papæ V. ejus nomine vera bulla plumbea cum cordula canapis more Romane curie bullata non viciatas, non cancellatas, nec in aliqua sui parte corrupt' sed omni prorsus vitio et suspicione carentes nobis p discretum virum magrum Willm Wrawbye in Theologia Baccalaur' 14 die mensis Octob' anno dni cccxxxmo indictione nona pontificatus sanctiss' in Christo patris et dni dni Martini supradicti divina providentia Papæ Quinti anno xiiij in ecclia conventuali prefati prioratus procuratorem almæ et immaculate universitatis Cantebrigie dictæ dioc' ac cancellarii, doctorum, magrorum, et scholar' ejusd' universitatis se publice asserentem prout nobis notario et testibus hic in subscriptione notarii descriptis p lras patentes sub nomine universitatis, cancellarii, doctorum, magistror' et scholar' predictor' notarie fact' ac sigillo comuni universitatis predictæ realiter comunitas constabat ad plenum. Tenor vero dictar harum patentium sequitur, et est talis.

Pateat universis p presentes me Johem Kolbroke, S. T. P. universitatis Cantabr' Eliens' dioc. cancellar' magros, doctores, et scholares dicte universitatis et studii unanimi assensu et consentus fecisse, constituisse, et ordinasse, dilectos nobis in Christo

¹ Henry Chicheley.² Philip Morgan.

magros Radulphum Duckworthe, Johem Athyll, Willum Wrawbye, et Willum Sulcicos, et eorum quemlibet, in solid' nras veros et universitatis nre predict' legitimos procuratores actorum, negotiorum, gestorum, et nuncios speciales, dantes et concedentes eisd' procuratoribus nris et cuilibet eorum in solid' plenam et liberam potestatem pro nobis et universitate nra predicta in Romana curia et cancellaria ejusd' impetrandi contradicendi tam lras simplices quam legendi gratiam seu justitiam continentes presentandi, prosequendi, et earum causas et materias excipiend' petendi, in loca et judices conveniendi, consentiendi, et contradicendi, necnon coram quibuscunque judicib' cognitorib' inquisitorib' ordinariis seu eorum commissariis ac sed' aplice delegatis ex officio mero seu martinario, vel ad partis instantiam, seu aliter qualitercunque procedentibus seu processuris in omnibus causis, negotiis, litibus, controversiis, querelis, p vel contra nos seu universitatem nram predict' motis seu movendis, et specialiter in negotio confirmationis quorundam privilegiorum nrorum et universitatis nre predict' et executionis cujusdam bullæ aplice confirmatorio ab eadem sede nobis ap' nos obstante, ita, videlicet, quod non sit melior conditio occupantis, sed quod unus inceperit quilibet eorum libere prosequi mediate valeat et finire, potestatem itaque generalem et mandatum speciale pro nobis ut premititur et universitate predicta comparendi, agendi, defendendi, excipiendi, replicandi, libellandi, articulandi, seu quamcunque aliam summarie petitionem verbo vel in scriptis semel dand' ministrand' petend' recipiend' et protestand' litem seu lites contestand' et contestari petend' et audiend' juramentum tam de calumnia quam de veritate dicend' et de collusionem vitand' et quodlibet aliud genus liciti juramenti prestand' et jurand' ponend' articuland' positionib' et articulis respondend' interrogatorum ministrando testes, lras, privilegia, indulgentias, instrumenta, et munimenta quæcunque exhibendi et ostendendi interessè nrum, allegandi, et admittendi, patendi, et in testes et eorum dicta dicendi crimina defectus objiciendo, objectis seu objiciendis respondendi, in integram restitutionem damnorum, estimationum expens' et interessè quodlibet, nec non et a quibuscunque suspensionis, excommunicationis, interdicti, et sequestri sententiis a jure vel ab hore latis seu ferendis, absolutionis et relaxationis beneficium petendi, recipiendi, et obtinendi in judices notarios et loca consentiendi vel dissentiendi, ac eos et ea recusandi, pronuntiationes faciendi, petendi, et audiendi, concludendi, et concludi petendi sententias tam interlocutorias quam definitorias ferri petendi, et audiendi, et ab eis et quolibet alio gravamine in judicio vel extra nobis seu universitati nre illatis seu inferendis provocandi et appellandi, provocaciones et appellationes notificandi et intimandi et earum causas prosequendi alium vel alios procuratorem vel procuratores suo loco et cujuslibet eorum substituendi, substitutum aut substitutos in se et eorum quemlibet re-assumendi, et generaliter omnia alia et singula faciendi, exercendi, et expediendi que in premissis vel circa oportuna fuerint seu quomodolibet necessaria pro eisd' vero procuratorib' nris et eorum quolibet substitutis vel substituendis ab eisd' vel ab eorum aliquo, nos ratum, gratum, et firmum ppetuo habitari quicquam p eisd' vel eorum aliquem actum, gestum, seu procuratum fuerit in premissis vel in aliquo premissis vel iudicatum solvi cum omnibus clausulis sub ypotetica et obligatione omnium rerum nrarum promittimus, et cautionem exponimus p presentes. In cujus rei testimonium sigillum nrum commune presentib' duximus apponend'. Dat' Cantabr' in nova capella universitatis nre 10 die Octobris anno Dñi 1430. Nos cum

cum ea que decet noveritis recipisse quarum irarum applicarum tenor dinoscitur esse talis; Martinus epus servus servorum Dei dilectis filiis priori mon' de Bernewell, &c. ut in bulla Martini immediate precedente.

Post quarum quidem literarum applicarum presentationem et receptionem prefatus magr Willmus procurator nos cum instantia requisivit ut ad executionem dictarum irarum applicarum et in eisd' contentorum procedere curaremus. Nos igitur prior, executor, et commissar antedict' volentes tanquam obedientie filius iras et mandatum aplicum supradict' in hac parte direct' reverenter exequi ut tenemur auctoritate aplica nobis in hac parte direct' et commissa, considerata forma dictarum irarum de more, consuetudine, et jurisdictione cancellarii et universitatis predict' aliisque in dictis iris aplicis seriosius comprehensis juxta ipsarum continentiam et tenorem summarie et diligenter inquæsimus veritatem. Et quia p inquisitionem et summariam cognitionem hujusmodi ex fide dignorum testimonio reperimus cancellarium dictæ universitatis in possessione et exercitio ecclesiasticæ jurisdictionis fuisse et esse, idcirco nos executor aplicus antedict' de Bulla aplica prædicta et contenta in eadem pleniorum notitiam habere volentes premiss' quarto decimo die et loco pro tribunali sedentes eid' magro Willmo Richer in apparitorem elect' et primitus deputat' diem Lunæ ex tunc prox' sequent post dict' quartum decimum diem eid' magro Willmo procuratori omnibusque aliis quorum interest vel interesse poterit in hac parte ad comparand' allegand' et proponend' et ad cetera que ad negotium vel in negotio confirmationis in prefatis iris aplicis content' fuerint faciend' et expediend' in domo capitulari prioratus nri prædicti præfiximus et assignavimus; quo quidem die Lunæ, viz. 16 die mens' Octob' anno Domini supradicti, idem magr Willms procurator predict' coram vobis executore aplico antedicto in dicto domo capitulari pro tribunali sedente procuratorio nomine quo supra comparuit, et quosd' articulos inferius de script' loco et nomine libelli sumarii in dictor' confirmationis negotio pro parte cancellarii, magistrorum, doctorum, et scholar' univers' prædictæ p nos admitti petiit, et super nos cum debita instantia requisivit. Copia vero articulorum predict' sequitur in hac forma.

In Dei nomine, Amen. Coram vobis priore prioratus de Bernewell, Eliens' dioc' executore aplico et delegato, una cum magro Johne Depyng, canonico Lincoln', collega vro, cum illa clausula quod si non ambo ad presens se licite excusante ad exequend' certas iras aplicas sup' confirmatione quorundum privilegiorum p Romanos pontifices cancellario doctoribus et scholaribus universitatis Cantabrigiæ dictæ dioc' indubitatarum aliarumque consuetudinum et jurisdictionis ecclesiæ universitatis ejusd' legitime deputat'. Ego Willus Wrawbye, S. T. B. procurator et procuratorie nomine dictor' Cancellarii, doct' et scol' universitatis predictæ infraascriptos articulos do, facio, et exhibeo, et p vos dñe executor' nomine quo supra eos eorum quemlibet admitti peto, ad quos proband' offero parat'.

1. Imprimis articulo et probare intendo quod Romani pontifices inhibendo decreverunt et p eorum scripta inter alia concesserunt doctoribus et scholar' universitatis predictæ, quod nullus archiepus, epus, archidiaconus, aut eorum officiales in aliquam doctorum et scholar' prædictæ suspensionis, excommunicationis, seu interdicti sententias ferre, aut ipsos seu eorum familiares ipsamve universitatem molestare seu quomodo libet sub interdicto ponere præsumet sub pœna excommunicationis quam contraveniens incurreret ipso facto.

2. Item

2. Item quod super inhibitione et decreto hujusmodi nec non aliis p sedem aplicam eid' univers' concess' nonnulla dictæ univers' statuta de cōmuni consilio et deliberatione matura magrōrum doctor' universitatis predict' condita sunt, cancellariusque dictæ univers' pro tempore existens, qui sub cancellarii denominatione inibi vicem rectoris obtinuit et obtinet juxta dicta privilegia et statuta omnimoda super corrigend' et puniend' excessus supponitorum seu psonarum dictæ univ' ac cognoscend' et decidend' causis et negotiis supponitos et personas hujusmodi contingentibus jurisdictionem ecclesiasticam et spirituales exercere consuevit et exercet pacifice in presenti et articulariter divisim.

3. Articulo et intendo probare ego procurat' predictus quod omnes et singuli scolares seu clerici in sacris et in minoribus ordinibus constituti, curati et non curati, ad univers' Cantabr' gratia studii confluentes tam seculares quam regulares, exempti et non exempti, cujuscunque gradus, status, conditionis, ordinis, vel dignitatis fuerint, quamdiu in universitate predicta expectantes et ut studentes existunt, eorum etiam familiares ac ejusd' univers' ministri cōmunes, necnon scriptores, illuminatores, ligatoresque librorum, atque stationarii, fuerunt et sunt ac solent et esse debent tam ex antiqua consuetudine p tempus cujus contrarii memoria hujusmodi non existit pacifice usitata, quam ex concessione aplicæ, de et super jurisdictione ecclesiastica et spirituali cancellarii universitatis predict' p tempore existentis.

4. Item quod cancellarius dictæ univ' quicunque pro tempore suo existens in personas ac in eorum rebus omnem et omnimod' usum et jurisdictionem ecclesiasticam crimineum et excessuum correctionem, delinquentium punitionem, pœnarum et multarum impositionem, relaxationem, et exactionem, testamentorum psonarum predictarum approbationem, insinuationem, et reprobationem, ac censuræ cujuscunque ecclesiasticæ exercitium a tempore cujus contrarii memoria non existit, habuit et habet solum et in solid' scientibus et tolerantibus quibuscunque, archiepiscopis, episcopis, archidiaconis provinc' Anglicanæ, et de omnibus et singulis predictis disposuit prout in presenti disponit.

5. Item quod dict' cancellarius quascunque psonas etiam sibi non subdit' nec subiect' contrahentes cum personis supradictis eid' cancellario subditis vel subiectis vel erga easd' seu earum aliquem delinquentes, solebat et debet maxime inobedientes et rebelles per censuras ecclesiasticas compescere, castigare, suspendere, excommunicare, et absolvere, sicut quoque potest, debet, et solet, principales personas sibi supponitas in tertio articulo.

6. Item quod omnia et singula præmissa sunt publica, manifesta, notaria, et famosa, et super eisd' p dioc' Eliens' et alia loca convicina laboravit et laborat publica vox et fama.

Quorum facta fide quæ in hac parte requiritur, peto ego procurator antedictus omnem et omnimodum usum et jurisdictionem ecclesiasticam solum et in solidum quam ad personas in tertio articulo superius expressas ad cancellar' universitatis præd' pro tempore existent' p vos dñe prior executor antedictus pertinere et pertinere debere, decerni, et declarari, ipsumque usum et exercitium spiritualis jurisdictionis cancellariis universitatis præd' juxta concessiones aplicas et laudabiles consuetudines universitatis præfatæ auctoritate aplicæ vobis commiss' approbari et confirmari, ulteriusque fieri, quoniam vestro incumbit officio in hac parte. Quibus p

n s admiffis idem procurator ad eos proband' testes prox' infraſcriptos produxit; viz. Johem Dynne, Johem Thorp, Walterum Barley, Tho' Marchande, Willum Lavender, Thomam Thirkill, Willum Sull, quibus per nos admiffis et de dicend' in dict' cauſa veritate ſupradictis articulis et in eiſd' contentis in forma juris juratis ſecrete et ſigillatim p nos diligenter examinatis, quorum deſitionum tenores ſequuntur in hiis verbis.

Johnes Dynne, ætatis 79 annorum, liberæ conditionis et bonæ famæ ut dicit teſtis admiffus, et juratus, et diligenter examinatus ſuper primo articulo, et dicit quod continet veritatem; interrogatus p quid icir, dicit quod vidit diverſa privilegia et reſcripta apoſtolica tenorem primi articuli continentia. Interrogatus ſuper ſecundo articulo dicit quod continet veritatem. Interrogatus quomodo ſcit quod nonnulla ſtatuta facta p cancellar', magros doctores prædictos vidit' et promulgationem ſeu publicationem hujusmodi ſtatutorum varias pœnas et cenſuras eccl'icas continent' audivit, et dictum cancellarium pro tempore exiſtent' quandoque p ſe quandoque ejus comiſſarium juridiſctionem eccl'icam et cognitionem cauſarum ſupponit' et perſonarum univerſitatis præd' tam in perſonis quam cauſis eos contingentibus vidit p ſexaginta annos exercere. Interrogatus ſuper articulo ſupius recitato et in eo contentis dicit quod hoc novit et vidit quaſi p 60 annos qualiter cancellarii prædictæ univerſ' Cantabr' habuerunt prout adhuc habent omnes et ſinguli omnem et omnimodum juridiſctionem eccl'icam ſolum et in ſolidum in et de perſonis in dicto tertio articulo nominatis, et exercitium ejusd' in eiſd' perſonis et earum rebus obtinuerunt et exercuerunt, et ſic quilibet eorum habuit et exercuit, et realiter ſine aliqua interruptione uſus fuit. Interrogatus qui fuerunt illi cancellarii qui exercitium et juridiſctionem hujusm' habuerunt, dicit ſcientia ſua quod iſti viri venerabiles magri et doctores, viz. Ricardus le Scrope, Johannes Dunwyche, Eudo le Zouch, Johes Burgh, Willus Colvyle, Johes Neketon, Ricus Derham, Stephus le Scrope, J. ſhes Rikynhall, Robtus Fitzhugh, Marmadukus Lumeleye, Johes Holbroke, cancellarius, et alii quamplures de quibus non recolit ad præſens. Interrogat' de quarto articulo dicit quod continet veritatem de ſcientia ſua prout ſuper depoſuit, et quod omnes et ſinguli cancellarii ſuis temporibus in perſonis tertio articulo ſupius contentis et in eorum rebus habuerunt omnem juridiſctionem eccl'icam et in eas delinquentes infra territorium univerſ' prædictor' p cenſuras eccl'icas, puta p ſuſpenſionem et excommunicationem et alias pœnas, compeſcerunt et punierunt, teſtamentorumque earund' perſonarum omnium et ſingular' infra univerſitate decedentium ex eorum officio conceſſerunt adminiſtrationes, bonorum hujusm' calculum receperunt, plenarie aquietancias conceſſerunt, et ſic fecit quilibet de videre et notitia ſua, nec unquam audivit contrarium. Interrogatus an dicti cancellarii iſta p eum depoſita ſolum de conſuetudine habuerunt, dicit quod non ſolum de conſuetudine uſuali ſed etiam de privilegio eidem univerſ' et cancellario ejusd' a diverſis pontificib' Romanis antiquitus conceſſ', et dicit ſe tenores diverſos dicti privilegii vidiſſe et legiſſe. Interrogatus ultra de ſcientia et tollerantia archiepoſorum, epoſorum, archidiacon', dicit quod continet veritatem de ſcientia ſua, quia cuſtodes ſpiritualitatis epoſatus Elienſ' tatiens quotiens ipſius ſede vacante deputati official, etiam epoſorum et archidiacon' Elienſ' continue infra dictam univerſ' ſpectantes ejusd' univerſitatis cancellario juridiſctionem hujusm' in perſonas ſibi ſubject' continue exercere noverunt et ſine interruptione aliqua a tempore cujus contrarii, &c. permiſſerunt, et de præſenti quiete per-

mittunt,

mittunt, quod sine notitia et permissione dictor' archiep'orum, ep'orum, et archidiaconorum suorum non possit fieri quovismodo. Ipsimet etiam archiep'i et ep'i, quorum unus nōie Johes Fordham jam nuper Elien' hujusm' temporibus quibus dict' Elien' dioc' visitabant cum ad villam Cantabrigiæ declinarunt ad requisitionem cancellarii universitatis præd' pro tempore existentis privilegia et consuetudines ipsius universitatis intimantis et publice declarantis a correctione, usu, et exercitio jurisdictionis ecclesiasticæ quoad personas eidem cancellario subiect' totaliter superfederunt. Interrogatus super quinto articulo dicit quod continet veritatem; requisitus p quod scit, dicit quod novit et vidit quasi p 60 annos qualiter cancellar' prædict' et alii quoscunque laicos et clericos non suæ jurisdictioni suppositos in personas sibi subiect' et supposit' delinquentes vel offendentes cum eisd' personis qualitercunque contrahentes non solum p pœnas pecuniarias et corporales juxta privilegia regum Angliæ eis concessa sed et p censuras ecclesiasticas correxerunt, constrinxerunt, et castigârunt, et redemptiones pœnarum tam temporalium quam spiritualium limitarunt, fecerunt, et receperunt, et eos a censuris ecclesiasticis abolverunt. Requisitus super sexto articulo dicit quod continet veritatem quoad deposita per eum, et dicit quod sic fuit et est tentum, reputatum, et vulgariter promulgat' p tempus et tempora cujus et quorum contrarii memoria vel memoriæ non existit seu existunt. Et ultra dicit quod nec vidit nec audivit aliquem dicentem quod vidit vel audivit contrarium usitatum, nec quod aliquis majorum suorum viderit vel audiverit dictum reputatum seu judicatum in contrarium, et sic dicit est communis opinio.

Johes Thorpe, sexaginta et octo annorum, libere conditionis et bonæ famæ ut dicit, et testis admissus et juratus, interrogatus super præmissis articulis oībus et singulis concordat cum conteste suo precedente in oībus, hoc excepto quod non est tantæ ætatis, et quod non vidit nec novit Ricardum le Scrope prædict' cancellarium.

Walter Barley, ætatis 58 annorum et amplius, liberæ conditionis et bonæ famæ ut dicit, testis admissus requisitus diligenter sup præmissis articulis oībus dicit quod continet veritatem. Et deponit ut deposuit primus contestis suus præterquam quod non est tantæ ætatis et quod non novit prædicta nisi p 42 annos, nec novit Ricardum le Scrope, nec Johem Dunwyche, prædict' cancellar'.

Thomas Markande', ætatis 40 annorum et amplius, testis admissus et liberæ conditionis et bonæ famæ ut dicit, requisitus diligenter sup præmiss' articulis oībus et singulis dicit quod continent veritatem, et concordat cum primo conteste suo excepto quod non est tantæ ætatis, nec prædicta nisi p 30 annos vidit, nec novit Ricardum Scrope, Johem Dunwyche, Johem Burgh, nec Willum Colvyle, prædict' cancellar'.

Willus Lavender, ætatis 48 annorum, liberæ conditionis et bonæ famæ, ut dicit, testis admissus et sup' præmissis diligenter examinatus, concordat cum suo prædicto conteste in omnibus.

Tho' Thirkyll, ætatis 40 ann' et amplius, liberæ conditionis et bonæ famæ ut dicit, testis admissus, juratus et examinatus sup præmissis concordat cum proximo conteste suo in oībus, et easd' causas reddit scientiæ.

Willus Sull, 26 ann' et amplius, liberæ conditionis et bonæ famæ ut dicit, testis admissus, et examinat' sup content' in articulis novit p 10 annos in ceteris oībus cum

¹ Probably the same who was fellow of Corpus Christi College and proctor 1417, one of the most eminent antiquaries of his time, who made a collection of the privileges, statutes, &c. of the university, now among their archives. He died 1439. Masters' Hist. of Corpus Christi College, p. 41, 42^o prox'

prox' conteste suo concordat, excepto quod non novit alios cancellarios de prædictis quam Robtū Fitzhugh, Marmaducum Lumeleye, et Johē Holbroke, moderum.

Demum depositionum prædictorum testium publicatione facta et attestationum prædict' eidem procuratori ceterisque omnibus quorum interest seu interesse poterit in hac parte copiis p nos decret' ulteriorisque productionis termin' denunciatur nihil dict' vel object' contra testes seu eorum depositiones, diem Jovis extunc prox' sequent eid' procuratori ceterisque quorum interest vel interesse poterit ad proponend' omnia ut facta existent in dicta dom' caplari pro termino ultro et peremptorio assignavimus; quo quidem die Jovis adveniente, viz. 19 die mens' Octob', anno Dñi supradict', instrumentum publicum copias quarund' Itarum, privilegiorum, et indultorum aplicorum continens, una cum aliis evidentiis, munimentis, et statutis a libro statutorum dictæ univers' elicitis et extractis in subsidium probationis prædictæ coram nobis exhibuit.

Copia vero dicti instrumenti publici sequitur in hæc verba :

In Dei nomine, Amen. Per presens publicum instrumentum constat omnibus manifeste, quod anno ab incarnatione Dñi secundum cursum et computationem ecclæ Anglicanæ MCCCCXXIX, indictione 7ma, pontificatus sanctiss' in Christo patris et Dñi nri Dñi Martini divina providentia Papæ Vti anno XIIMO, mens' Sept' die nono, in capella Corporis Christi infra eccliam paroch' beatæ Mariæ virginis Cantabrigiæ scituat', in mei notarii publici et testium subscriptorum præsentia constituti personaliter ven' viri magri Johis Wolpett et Johis Botwright¹, magri in artib' universitatis Cantabr' præd' Eliens' dioc' procuratores duas itas aplicas, unam, viz. Johis xxdi, alteram vero Bonifacii IXni quondam Romanorum Pontificum, more curiæ Romanorum bullatas, registrumque ejusd' univers' variorum et diversorum jurium, privilegiorum, libertatum, munimentorum, ac jurisdictionem præfatæ univers' et ipsam univers' concernentium, copias continens, et inter alia duarum bullar', unius scil' Honorii Imi, alteriusque Sergii, quond' etiam Romanor' Pontificum, ab archivis ejusd' universitatis extrahendo protulerunt, exhibuerunt, et ostenderunt palam et publice, tunc ibm allegantes se eas in diversis mundi partib' in jurium et jurisdictionis dictæ universitatis subsidium et defensionem, ut asseruerunt, exhibituros, et ppter earum notoriam vetustatem et viarum pericula eas ad partes remotas commode cariare nequire, et ea occasione transcripto exemplare aut copiis plurimum indigere. Unde mihi notario et testibus infrascriptis prædictas bullas ac etiam registrum prædict', ascultanda et inspicienda traderunt et liberaverunt, attente requirente et rogante, præhabitis deliberatione et inspectione diligentibus super eisd' me notar' dictas bullas transumere, transcribere, sive exemplare et dictum registrum quoad illas duas bullas fideliter copiare, et super inspectione, transumptione, transcriptione, exemplatione sive copiatione hujusm' publicum instrumentum conficere, et testes subscriptos in premissis testimonium phibere, quarum unius, scil' Johis papæ XXIIdi tenor sequitur et est talis.

Johes epus servus servorum Dei, &c. *Hic inscribi debet bulla integre prout supra habetur fol' 1mo hujus voluminis.*

Tenor vero bullæ Bonifacii sequitur in hiis verbis.

¹ John Botwright, who was proctor this year with John Wolpett, was chosen master of C. C. C. in this university, 1443, was rector of Swaffham in the county of Norfolk, his native town, and dying 1474, was buried in his church, where his monument remains. *Masters' Hist' of C. C. C.* p. 45—48.

Bonifacius ep̄us servorum servus Dei, &c. *Hic etiam inscribi debet bulla Bonifacii papæ integre sicut inseritur supra fol' 2do.*

Sequuntur etiam hic bullæ duæ, viz. Honorii et Sergii paparum; quæ quidem bullæ inveniuntur supra, fol' 3 et 4.

Tenor vero aliorum munimentorum et statutor' sequitur, et est talis.

Item excommunicamus et excommunicatos denuntiamus oēs pturbatores pacis universitatis Cantabrigiæ, ac etiam omnes et singulos privilegia, libertates, seu consuetudines approbata et consueta indebite seu maliciose impugnantes, enervantes, impugnationem seu innervationem eorund', seu alicujus eorum consentientes, faventes, seu consulentes, seu quovis quæsito celare impugnationem, seu enervationem, ut premititur machinantes, seu procurantes clam vel palam, directe vel indirecte, omnium et singulorum in hac parte delinquentium absolutione cancellarii istius universitatis specialiter reservata.

Statuimus sub pœna etiam anathematis quod si aliqui scolares aliquem sciunt sub nomine scholaris se gerere vel in societate sua aliquam habeant qui magr̄um non habeat ac lectionibus ordinariis magr̄i sui secundum formam prædictam non interfit, vel qui concubinam suam manifeste teuet, vel aliquo modo p signa manifesta vel facti evidentia malæ opinionis fuerit, et hoc quia fur vel incontinens pacis pturbator fuerit magro suo denunciaret, vel cancellario ut post denuntiationem statim ab universitate expelli possit.

Item monemus primo, 2do, et 3tio, sub pœna excommunicationis majoris, ne quis de cætero in vicis scholarium turbationem aliquam pulsu, tractu, seu quovismodo faciat, foveat, aut procurat, aut eodem die seu aliquo alio tempore fiant conventiculæ seu concursus scholarium alicujus facultatis p se vel facultatum simul ad disponend' eligend' vel nominand' eis capitaneum, ducem, cancellarium, procuratorem, vel bedellos, seu quemcunque alium vel alios ductores vel alios officarios quocunque nomine censeantur, nec ad hujusm' conventiculas vel concursus faciend' campanas pulsand' cornu vel tubis clangent, nec quovis alio quæsito colore convocent seu faciant congregari, ac insup in hujusm' contravenientes sententiam fecimus in hiis scriptis, super quo statuto decernimus quod talis contraveniens statim auctoritate nra pro excommunicato p eccl̄iâs denuntietur, nec ab hujusm' excommunicatione absolvetur quousque cistæ universitatis communi ratione hujusm' excessus suam communi solvit duplicat.

Provisum est etiam ne publicæ coreæ p plateas de cætero fiant, sed omnino inhibeantur, quia vitum est universitati p hujusmodi coreas plurima posse evenire pericula. Item statutum quod omnes dict' inhibition' contravenientes ipso facto in sententiam incidere excommunicationis, et ideo inhibeat cancellar' de cætero hujusm' coreas fieri sub pœna anathematis, pœna nichilominus incarcerationis hujusm' transgressorib' imminente.

Item statuimus quod si clericus alium nre universitatis clericum ad forum seu iudicium laicale de cetero vocari, trahi, vel in causâ convenire fecerit, seu convenerit, vel quomodolibet in hac parte vexaverit, extunc ipse necnon quicunque dictæ universitatis clericus cujuscunque conditionis extiterit consilium, auxilium, vel favorem eisd' in præmissis vel eorum aliquo præstans ipso facto sententiam excommunicationis incurrat, a qua nisi tam univerf' prædictæ jurisdictionis fuerit usurpata vel impedita quam parti quæ turbata in hujusm' persecutione fuerit de injuria dampnis, expensis, et interesse,

prius

prius p eundem integre fecit satisfactum p dict' universitatis cancellarium presidentem vel quemcunque nullatenus absolvatur. Quod si hujusm' absolutio præter vel contra formam prædict' aliquammodo fuerit impensa ipso jure nullius peniteas sit momenti. Item statuimus sub pœna excommunicatiōis quam extunc in non p. . . fecimus in hiis scriptis ne aliquis vel aliqui festa et solemnitates Sanctōr' Hugonis, Edmundi, Cuthberti, Willi Ebor, in aliquo loco singulari publice p communi concursu scholarium cujuscunque nationis deputar' celebrare attemptent, sed quibuscumque in sua parochiali ecclia Deo et Sco cui devotus est, si velit, cultum augeat divinum.

Quibus p nos, petente dicto procuratore, admissis, et debite publicatis, decretis copiis omnibus eas habere, volentibus, datus est dies Veneris prox' tunc sequens, ad audiendam in dicta domo caplari sententiam confirmationis et approbationis privilegiorum et consuetudinum dictæ universitatis juxta mandati aplici nobis directi exigentiam et tenorem, si proponenda et proposita non obstant. Quo quidem die Veneris prox' tunc sequente adveniente, viz. 20 die sæpe dict' mensis Octobris, nobis pro tribunali sedente in domo caplari sæpius antedict' dictoque procuratore sententiam confirmatoriam postulante, proclamationeque publice facta de nro mandato an aliquis voluerit contra nrum processum objicere p Willum Richer, apparitorem nrum præd', nullo contradictore apparente, nec aliquo alio proposito seu objecto quod nostrum processum potuit impedire, ad nostram sententiam processimus p hunc modum.

In Dei nomine, Amen. Nos prior prioratus de Barnewell, Eliens' dioc', executor, et commissarius ad infra-scripta auctoritate aplice deputatus, una cum ven' viro magro Johne Depyng canonico Lincoln' collega nra, cum illa clausula (quod si non ambo licet absente et legitime excusato) prout nobis p instrumentum public' evidenter apparuit signo et subscriptione magri Radulphi Bemyngton notarii publici consignatum p magrum Willum Wrawbye, cancellarii magistrorum doctor' et scholar' universitatis Cantabrigiæ dictæ dioc' procuratorem cum debita instantia fuimus requisiti quatenus ad prolationem sententiæ confirmatoriæ privilegiorum, consuetudinum, et statutorum dictæ universitatis procedere dignaremur juxta formam prædict' nobis specialiter directorum. Idecirco nos commissar' antedictus rimatis per nos depositionib' testium productorum, inspectisque omnibus et singulis instrumentis publicis, privilegiis; evidentiis, munimentis, aliisque statutis indicta causa productis et exhibitis, ac investigato toto processu in hac parte coram nobis habito atque gesto de consilio jurisperitorum nobiscum assidentium ad sententiæ prolationem procedimus in hunc modum, &c.

In Dei nomine, Amen. Quia nos prior antedictus executor aplicus p acta astituta deducta et exhibita coram nobis invenimus sufficienter esse probatum quod Romani pontifices in favorem doctorum et scholarium universitatis Cantabr' prædictæ eisd' p sua rescripta aplice concesserunt et restrictius inhibendo sub pœna excommunicatiōis quam veniens in contrarium incurret, et ipso facto ne quis archiepiscopus, episcopus, archidiaconus, aut eorum official' in aliquem doctorum seu scholar' universitatis præd' suspensionis, excommunicatiōis, seu interdicti sententia ferre, aut ipsos aut familiares eorum molestare præsumerent, sed rector ipsorum doctorum et scholarium de consilio seniorum et saniorum ejusd' univers' secundum eorum statuta, charitate semp' media, corrigere et emendare studeret

studeret prout studentium saluti magis videret expedire. Deceverunt etiam qđ nec liceret eisd' archiep'is, ep'is, archid' universitatem ipsam vel aliquem doctorum seu scholar' ejusd' excommunicare, suspendere, seu quomodolibet sub interdicto ponere absque summi pontif' assensu vel ejus speciali mandato; quodque super inhibitione et decreto hujusm' necnon lris superinde confectis quædam universitatis antiquiora statuta cōmuni consensu et deliberatione matura magrorum et doctorum præd' ad bonum regimen universitatis prædict' ordinata fundantur. Et quia ipsorum et inhibitionis decreti et literarum vigore invenimus quod cancellar' dictæ universitatis pro tempore existens, qui sub cancellarii denominacōe inibi vicem rectoris obtinuit atque obtinet, super corrigend' et puniend' excessus suppositorum seu personarum ejusd' univers' ac cognoscend' et decidend' causis et negotiis supp' sitos et personas hujusm' contingentib' jurisdictionem ecclesiasticam et spiritualem exercere consuevit etiam a tempore cujus contrarii memoria non existet prout exercet notorie in præsentī absque perturbacōe, molestatione, seu inquietatione archiep'orum, ep'orum, archid' eorum offic' quorumcunque; imo quia reperimus archiep'um, ep'um, et archid' ab omni et omnimoda jurisdictione eccl'ica et spirituali in dicta univers' et ejusd' suppositis ac personis se totaliter abstinuissē; idcirco nos prior antedictus in hac parte executor aplicus ipsas concessiones, observantiam inhibitionis et decreti, privilegia, statuta illorum et exercitium jurisdictionis eccl'icæ et spiritualis hujusm' auctoritate aplica nobis in hac parte cōmissa approbamus, laudamus, ratificamus, et in hiis scriptis p' nram sententiam confirmamus lris aplicis non obstantibus necnon provincialib' sinodalib' necnon bonæ memoriæ Octonis et Octoboni olim in Anglia sedis aplicæ legatorum constitutionib' ceterisque contrariis que quibuscunque. In quorum omnium et singularum testimonium præsentēs lras nras patentes seu præsens publicum instrumentum nrum processum et ejus seriem continens exinde fieri et p' Ric'm Bigtessleye auctoritate aplica notar' publ' prædict' scribam nrum in hac parte scribi, signari, et publicari mandavimus et jussimus, nrique sigilli appositione fecimus cōmuniri. Data et acta sunt hæc anno, indictione pontificatus, mense, locis, prope principium hujus publici instrumenti denotatis, dieb' tamen variis, mens' Octobris, prout p' processum specificè designatur, presentib' discretis viris mag'is Willmo Gull, Johē Smyth, Johē Capmake, cl'icis Ebor' et Lincoln dioc', et plurib' aliis testib' ad premissa vocatis specialiter et rogatis.

Tenor vero dicti instrumenti excusatorii (viz. Johis Depyng canonici Linc') noscitur esse talis.

In nomine Dei, Amen. Per presens publicum instrumentum cunctis appareat evidenter qđ anno ab incarnatione dñi secundum cursum et computationem eccl'ie Anglicanæ 1430, indictione 9a, pontificatus sanctiss' in Christo patris et Dñi nri Dñi Martini divina p'videntia Papæ V. anno 13, in eccl'ia parochiali S'ci Clementis Cantabr', mens' Octobr' die 11, in mei Rad'i Remyngton, notarii publici, triumque subscriptorum presentia p'sonaliter constitutus discretus vir mag'er Willus Wrawby, cancellarii, mag'orum et doctorum universitatis Cantabr' dict' Eliens' dioc' procuratorem ad hoc legitime deputatum palam et publice tunc ib'm se afferens et affirmans, quādam lras ejusd' sanctiss' Dñi nri Dñi Martini divina providentia Papæ supradicti ep'os verā bulla plumbea cum cordula canapis appendente more Romanæ curiæ bulatas

non viciatas, non cancellatas, non raras, neque abolicas, nec in aliqua sui parte corruptas, sed omni vitio et suspitione sinistra ut mihi notario supradicto videatur carentes, de et super negotio confirmationis quorundam privilegiorum universitatis præd' et eorund' executionis a sede aplice nomine universitatis præd' obtent', necnon venerab' viris priori prioratus de Bernewell dict' Eliensis dioc' et Johani Depynge canonico Lincoln' in eadem dioc' residenti cum illa clausula qd si non ambo, &c. a dicta sede aplice direct' sub dat' Romæ 2do non' Julii anno pontif' ejusd' sanctiss' D'ni nri supradicti pduxit, et eid' magro Johi Depinge, tunc ibm in ecclia Sfi Clementis præd' præsent' easd' iras præsentavit et exhibuit, ac reverenter palam cum variis instantiis pluries supplicavit, ac etiam requisivit eund' quatenus onus hujusmodi irarum super se assumeret, et juxta tenorem earund' cum effectu pcederet, quibus p ipsum magrum Johem supradict' cum ea qua decuit reverentia et humilitate receptis ac seriose perlectis ptestabatur publice et pmissit se mandatis aplicis in licitis et canonicis semper obedire paratum, asserens tamen et affirmans sine aliqua fictione (ut dixit) qd executioni irarum aplicarum hujusmodi p tunc vacare non poterat propter magna et ardua eccliam cathedral' Lincoln' concernentia quibus ad tunc præpeditus erat et multipliciter occupatus, et sic p illa instantia magro Willo Wrawby, procuratori supradicto, donec tempus magis congruum alias sibi vacaret, notificavit, et se publice excusavit, quam etiam excusationem dicto priori college sue notificari voluit p presentes; super quibus igitur præductione, præsentatione, receptione, supplicatione, requisitione, et excusatione tam magr Johes Depyng præd' quam magr Willus Wrawbye, procurator antedict', requisivit me notarium superdict' sibi et aliis quorum interest super hiis conficere publicum instrumentum sive publica instrumenta. Acta fuerunt et sunt hæc prout supra scribuntur et recitantur sub anno, indictione, pontificatu, mense, die, et loco predictis, presentibus discretis viris magro Willo Gull, magro in artib', ac Johne Smythe, clico Ebor' et Lincoln' dioc', testibus ad premissa vocatis specialiter et rogatis. Et ego Radus Remynton, clicus Ebor' et Lincoln' dioc' publicus auctoritate aplice notarius præmissis productioni, præsentationi, receptioni, supplicationi, requisitioni, et excusationi supradictis cæterisque aliis et singulis dum sic (ut premittitur) agebantur et fiebant sub anno, indictione, pontificatu, mense, die, et loco predictis una cum prænominatis testibus presens personaliter interfui, eaque omnia et singula sic fieri vidi et audiavi, scripsi, publicavi, et in hanc publicam formam redegei, signoque et nomine meo solitis et consuetis signavi, in fidem et testimonium omnium præmissorum rogatus et requisitus. Et ego Ricus Pightesleye, clicus Lincoln' dioc' auctoritate aplice notarius publicus, &c. *ut in loco supra memorato usque ad verba* (testimonium omnium præmissorum) *inclusive; post hæc verba sequentia ibi omissa hic inseri debeant*, rasuram vero istarum dictionum 'Alia loca' in 61 linea a capite hujus instrumenti computand': approbo ego notarius antedictus, ac etiam constat mihi notario de interlineamentis istarum dictionum 'quos' in prima linea secundæ membranae, et istus dictionis 'matura' supra 55am lineam a capite secundæ membranae computando, quos approbo ego notarius antedictus defectus meos corrigendo.

Hubetur in archivis academiae in publica forma sub sigillo prioris et conventus Bernewellensis.

Ex Coll. MSS. Hare.

Eugenius ep̄us, servus servorum Dei, &c. in futuram rei memoriam. Dum attentæ considerationis indagine p̄scrutamur quod per literarum studia favente charismatum cunctorum largitore Dño viri crescant scientiis eruditi, divini nominis fideique catholice cultus protenditur, omnibusque prosperitas conditionis adaugeatur humanæ, libenter non solum loca quibus hujusmodi studia vigent, illorumque supposita gratiis et libertatibus fulcire satagimus, sed etiam illa quæ pro studiorum subsistentia necnon eorum et suppositorum hujusmodi favoribus proinde facta comperimus, ut illibata persistant cum a nobis petitur aplicæ confirmationis munimine roboramus. Dudum siquidem pro parte dilectorum filiorum magistrorum, doctorum, et scholarium universitatis studii Cantabrigiæ, Eliens' dioc' piæ memoriæ Martino Papæ quinto prædecessori nro exposito olim fœlicis recordac̄ois Honorius Papa primus et prædecessor noster pro incremento et in favorem doctorum et scholarium qui tunc erant et pro tempore forent universitatis hujusmodi p̄ quasd' iras sub dat' Romæ apud s̄tum Petrum ab incarnat' Dñi 624 die 7mo mens' Feb', inter cætera restrictius inhibuerat sub pœna excom̄icis, quam veniens in contrarium incurreret ipso facto, ne quis archiep̄us, ep̄us, archid' aut eorum officarii in aliquem doctorum et scholarium eorund' suspens̄ois vel excom̄is seu interdicti sententias ferre, aut ipsos vel familiares ipsorum molestare præsumerent, sed rector ipsorum doctor' et scolar' de consilio seniorum et saniorum ejusd' univers' secundum eor' statuta, charitate semp̄ media, corrigere et emendare studeret prout studentium saluti magis videretur expedire, ac piæ memoriæ Sergius etiam Papa primus similiter prædecessor n̄r etiam pro incremento et in favorem hujusmodi p̄ alias suas iras sub dat' ap' Lateranum anno ab incarnat' hujusmodi 699, 3tio die mens' Maii, inter alia decreverat quod nullis archiep̄o vel ep̄o liceret universitatem prædict' aut aliquem doctorum aut scholar' eorund' suspendere vel excommunicare, seu quomodolibet sub interdicto ponere absque summi pontif' assensu vel ejus speciali mandato, quodque sup̄ inhibitione ac decreti necnon Honorii et Sergii prædecessorum nostrorum superinde confectis iris hujusmodi quædam ipsius univers' antiquo statuta communi consensu et deliberac̄oe matura magistrorum et doctorum prædict' ad bonum regimen et stabilitatem ejusdem universitatis ordinata fundabantur, ipsarumque inhibitionis et decreti et literarum vigore cancellarius dictæ univ' pro tempore existens qui sub cancellarij denominatione inibi vicem rectoris obtinuerat et tunc obtinebat omnimodam super corrigendis puniendisque excessibus suppositorum seu personarum ejusd' univ' ac cognoscendis et decidend' causis et negotiis supposita et personas hujusmodi contingentib' jurisdictionem ecclicam et spiritualem exercere consueverat, quodque de originalib' dictorum Honorii et Sergii prædecessorum nror' iris hujusmodi ex eo quod propter diuturnitatem temporis, cum tunc septingenti anni et ultra ab illarum concessione defluerant, aut ex earum custodum negligentia aut alias casualiter deperditæ vel amissæ fuerunt, licet plurimæ ipsarum copiæ de antiquissimo scriptura in archivis ejusd' univ' reconditæ extare noscerentur, doceri nequirit ipse Martinus prædecessor p̄ suas iras dilectis filiis priori mon' de Bernewell p̄ priorem soliti gubernari dict' dioc' ejus proprio nomine non expresso, et Joh̄ni Depyng canonico Lincoln' in eadem dioc' residenti; cum clausula (quod si non ambo hiis exequendis possent interesse alter ipsorum ea nichilominus exequeret) dedit in mandatis ut eis singular' irarum Honorii et Sergii præ-

decessorum singulis copiis hujusmodi in forma publica exhibitis, si et postquam ipsis legitime constaret magros, doctores, et scholares qui pro tempore tuerant, ac univ^{er}sam prædictam in pacifica possessione vel quasi usus et exercitia ecclesia spiritualisque jurisdictionis, ac observati^ois, inhibitionis, et decreti hujusmodi a tanto tempore fuisse et esse quod memoria in contrarium non existeret, eisd^{em} magis, doctorib^{us} et scholarib^{us} observantiam inhibitionis et decreti, necnon usum et exercitium jurisdictionis ecclesiæ ac spiritualis hujusmodi auctoritate sua approbarent et etiam confirmarent prout in prædictis ipsius Martini prædecessoris lris plenius continetur. Postmodum sicut exhibita nobis nuper pro parte magistrorum, doct^{orum} et scol^{arum} prædict^{orum} petitio continebat ipse prior (eodem Johne dictarum lrarum prefati Martini prædecessoris executioni interesse nequente seq^{ui} sup^{er} hoc legitime excusante) quia p^{er} ipsarum copiarum exhibitionem necnon alia acta actitata et deducta coram eo sibi dictos magros, doctores, scholares, et universitatem a supradicto tempore in possessione hujusmodi absque p^{er}turbatione, molestacione, vel inquisitione archiep^{iscop}orum, ep^{iscop}orum, archid^um aut eorum officialium quorumlibet fuisse et esse legitime constitit, ipsosque archiep^{iscop}os, ep^{iscop}os, et archid^um et officiales a prefata jurisdictione se totaliter abstinuisse reperit observantiam inhibitionis et decreti, necnon usum et exercitium jurisdictionis hujusmodi magistris, doct^{oribus} et scol^{aribus} præfatis, vigore dictarum lrarum ejusd^{em} Martini prædecessoris sententialiter approbatis, laudavit et ratificavit pariter et confirmavit prout in lris authenticis desuper confectis latius cognoscitur contineri: quare pro parte dict^{orum} magistrorum, doct^{orum} et scol^{arum} nobis fuit humiliter supplicatum ut approbationi, laudati^oni, ratificati^oni, et confirmati^oni prædict^{orum} pro illarum subsistentia firma robur apostolicæ confirmationis adjicere de benignitate ap^{osto}lica dignaremur. Nos itaque hujusmodi supplicationibus inclinati approbationem, laudat^{um}, ratificat^{um}, et confirmati^onem prædict^{orum}, ac quæcunque inde sequuta rata habentes et grata illa ap^{osto}lica auctoritate confirmamus, et præsentis scripti patrocini^o communimus, sup^{er}plentes omnes defectus, si qui forsitan intervenerint, in eisd^{em}. Nulli ergo omnino homini liceat hanc paginam n^{ost}re confirmationis, communitionis, et sup^{er}pletionis infringere, vel ei accessu temerario contraire: si quis autem hoc attemptare præsumperit indignationem omnipotentis Dei et Beatorum Petri et Pauli apostolorum ejus se noverit incursurum. Dat^{um} Romæ apud sanctum Laurentium in Damoso, anno incarnationis d^{omi}nice 1433, 14 kalend^{as} Octobris, pontificatus n^{ost}ri anno tertio.

From Hare's MS Collections, and from Miscellan. P. C. C. C. C. de rebus Cantabr^{ie}.

N^o XV.The Composition between the Town of Cambridge and the Prior
of Barnwell.

TO all manner people to whom this present writing shall come, or the same see, hear, or read, Wee Hugh Chapman, John Purgold, William Barber, and William Nelson, send greeting in our Lord God everlasting. Whereas great variance, discord, and controversies have long been depending, and yet in variance depend, between the prior and convent of the house of Barnwell, in the county of Cambridge, of that one part, and the mayor, bayliffs, and burgeses of the town of Cambridge, of that other part, upon the right, title, claim, and possession of certain fishings, in the common stream that goeth and runneth from and against the nuns' lake unto Ditton; and also of and upon all manner of liberties and franchisees of fold, commoning and feeding of sheep and beasts; and of and upon the right, title, interest, of all manner of tithes, rents, annuities, or annual rents; and of and upon the right, title, and interest of the ferry between Cambridge and Chesterton; and also for divers quarrels, suits, debates, and trespasses, complaints, and demands had, moved, or depending between the said parties; and also for divers trespasses and actions of trespasses hanging or moved between the said prior and one John Bell, burges of the said town of Cambridge; and also between one John Foster of Ditton, gent. and one Thomas Mathew of Cambridge, burges; and by reason and occasion of the premisses either of the said parties have been put to great trouble, vexation, costs, and charges: for the reformation and utter determination of the same, in ending many great inconveniencies which might hereafter fall, the said parties have assented, agreed, chosen, and named us the said Hugh Chapman, John Purgold, William Baker, and William Nelson, indifferently to hear and examine the premisses, and all the circumstances of the same, and then to make final determination thereof between the said parties, according to right and good conscience, and thereupon either of the said parties by their common assents have bound themselves to other by their several deeds obligate, sealed with their common seals, to obey and perform the award, ordinance, and judgment of us the said Hugh Chapman, John Purgold, Wm. Barber, and Wm. Nelson arbitrators, indifferently chosen between the said parties, to award, ordain, and deem, of and upon the premisses, so that our award, judgment, and ordinance be made, and given in writing, and delivered to the said parties, under our seals, before a certain day in the indorsement of the said obligations contained and specified, as in the said indorsement more plainly appeareth. Thereupon, we, the said Hugh Chapman, John Purgold, Wm. Barber, and Wm. Nelson, arbiters aforesaid, have called before us the said parties, and ripely heard and examined the demands, answers,

replication.

replications, and rejoynes, of both the said parties, with all due circumstances thereto belonging, in divers and sundry times and places; and now we the said arbitrators, the 22d day of January, in the year of our Lord God 1505, after a diligent examination of the premises, and the circumstance of the same, and the titles, allegances of either of the same parties by us clearly understood, by good and great deliberation, and special desire of either of the said parties, award, ordain, and deem between the said parties, alonely of and upon all articles comprised in the indorsement of the said obligation, in manner and form following :

Imprimis, where the said mayor, bailiffs, and burgeses complain that the prior and convent of the house of Barnwell aforesaid intend to use and occupy, and dayly use the liberty of fishing in the common stream that runneth from against the nuns' lake unto Ditton, severally to themselves, and to their own proper use, directly against the priviledges granted to the said mayor, bailiffs, and burgeses of the said town of Cambridge: we award, ordain, and deem that the said mayor, bailiffs, and burgeses, and their successors, shall peaceably occupy and enjoy the liberty of fishing and fouling in the said common stream that runneth from Nuns Lake unto the stone wall of the west-part of the said house of Barnwell, severally to themselves and their successors for ever, without any interruption of the said prior or his successors, or of any other person or persons whatsoever in their name: Also, we award, ordain, and judge, that the prior and convent of the house of Barnwell, and their successors for evermore, shall have and take to them and their successors for evermore, all the liberty of fishing and fouling in the whole poole, called Barnwell-poole, which runneth directly right against the said house between the west wall and the east wall of the said house, and the liberty of fishing and fouling from the Old Ferry at Chesterton, which was now of late against Branlies door unto Ditton lake, without interruption of the said mayor, bailiffs, and burgeses, and their successors, or any other person or persons in their names. Also, we award, decree, and ordain, that as touching the liberty of fishing in the water that runneth from the east wall of Barnwell unto the foresaid Old Ferry, the said prior and convent, and their successors, the mayor, bailiffs, and aldermen, and such persons as have been mayor in the said town, and their successors for the time being, with such persons as it shall please them to call unto them, shall be iater commons for ever, to fish with lawful nets at their pleasure, provided alway that there shall no other burgeses, nor commoner of the said town, fish in the said middle part of the river that runneth from the said east wall unto the Old Ferry, with no manner of nett, nor other engine, nor lay no hives in the same, except it be with a hoope nett or angle. Item, where the said mayor, bayliffs, and burgeses make title and claim to the moiety of the Ferry between Chesterton and Cambridge, and likewise the prior and convent of the said house of Barnwell make claim and title to the same: also, where the said prior and convent ask and claim of the said mayor, bailiffs, and burgeses, out of the chamber of the said town, a certain annual rent of ten pounds by the year, and certain tithes by josement of estuall, for the time of Stourbridge-fair, and for three
or

or four acres of ground that lieth void in paradole, where the Duddry standeth, which was wont to be eared and sown, we the said arbitrators award, ordain, and decree, that the said prior and convent, and their successors, shall hold and occupy severally to themselves the said ferry, for ever, without any interruption of the said mayor, bailiffs, and burgeses, so that the said burgeses shall have their free passage as they have had in times past of old custom, and for the recompense of the same, we award, ordain, and decree that the said mayor, bailiffs, and burgeses, shall have and hold to them, and their successors, of the said prior and convent for ever, the liberty and privilege of Midsummer-fair, and by the year to the said prior and convent, and to their successors of the said prior and convent for ever the liberty and privilege of Midsummer-fair, paying yearly, and by the year, to the said prior and convent, and their successors, or certain attorney, at the end of the fair, four marks of good and lawful money of England, for full contentation of the liberty of the said Midsummer-fair, by year, and also for full recompence of the said annuity and tithings that the said prior claimeth yearly, as above is rehearsed: Provided always, that the said mayor and bailiffs for the time being, at the time of the said Midsummer-fair, shall make recognition after the old custom, as in making of their proclamation, or otherwise, that they hold the said fair of foresaid prior and convent, after the manner above-written.

Item, where the said mayor, bailiffs, and burgeses complain that the said prior claimeth and occupieth inter common between more barns and Cambridge, and wrongfully furchargeth the common in divers other parts about Cambridge against all right and good conscience, we award, ordain, and judge that the said prior and his tenants shall have, occupy and enjoy inter common with the bounds of Cambridge and Barnwell, as he hath done in times past, after the tenure of his land, and when all other inter-commons be seised and stinted after the tenure of land, he and his tenants in likewise to be stinted and seised with them.

Item, when the said mayor, bailiffs, and burgeses pretend certaine injuries done to them by the said prior and his predeceffors by reason of their furcharging of their common, and taking away of their netts in the said water, and wrongfull amer-ciements in his court at Chesterton, and by many other means, and in likewise where the said prior complaineth that the said mayor, bailiffs, and burgeses hath many times and often wronged and trespassed against him by the pining of cattle, and his tenants amercing of him and them in court at Cambridge, and indicting of his tenants and servants against right and good conscience: We award, decree, and judge that the said mayor, bailiffs, and burgeses shall remit and forgive all manner of variances, contrivarses, debates, and trespasses, had or done to them the said prior and his tenants, from the beginning of the world untill the day of the date of these presents, and withdraw all manner of suits or pleas by them moved or depending against the said prior and his servants, or tenants, at their suit and promotion, and discharge the said prior and his tenants, and servants from all manner of amer-ciements and indictments by the occasion of the premises in the court of the said mayor, bailiffs, and burgeses, or in any other court, at their

proper

N. B. It is not
said to the suc-
cessors of the
prior and con-
vent.

proper costs and charges. And in like manner we award and judge that the said prior shall remitt and forgive all manner of variances, controversies, debates, debts, and trespasses, had and done against him and his predecessors, by the said mayor, bailiffs, and burgeses from the beginning of the world untill this day, and withdraw all manner of suits or pleas moved, depending, or hanging against the said mayor, bailiffs, and burgeses, in any court at his suit, and discharge the said mayor, bailiffs, and burgeses, from all manner of amerçiements done in his court at Chesterton, by reason of the premises at his own costs and charges. Also where there was matter of variance between John Bell, late mayor of Cambridge, and the said prior, for taking away and with-holding the net of the said John Bell, and fishing in the said river, and for striking each of them othe, and also between John Forster, gent. of Ditton, and his servants of the one part, and Thomas Mathew, of Cambridge burges, of the other part, by the occasion of fishing in the said river; We award and judge, that the said John Bell and Thomas Mathew for their part, shall remit and forgive all manner of variances and trespasses done to them by the said prior and his servants, John Forster and his servants, and withdraw all manner of instruments, actions of trespasses, that they, or any of them, have moved, stirred, or attempted in any court against the said prior, his servants, John Forster and his servants, at their own proper costs and charges. And in likewise the said prior and John Forster shall forgive and release all manner of injuryes and trespasses committed against them, or each of them, by the said John Bell and Thomas Mathew. Also we award and ordain that for the more surety and safety to be given to the premises, either of the said parties above-written, to our lawde and judgment in this present writing indented specified interchangeably, shall put their common seals at this side of the feast of Easter next to come under the pain contained in the said writing obligatory. Into witness whereof, we the said arbitrators to either part of this writing indented, whereof that one part shall remain with the said prior and convent, that other part with the said mayor, bailiffs, and burgeses, have put their seale, the foresaid twenty-second day of January, and in the year aforesaid.

From the book commonly called, The Crosse Book of the Town of Cambridge.

N° XVI.

In Com' Cantabr' de visu franci plegii.

In hundredo de Eringford.

Gilden { De Wmō Pikard, 2s.
 Mordon, { De Johne de Beche, 2s.
 { De feodo Rob'ti Beche, 2s.
 { De Rob'to Bancis, 2s.
 { De Wal'to de Yfel'm, 2s.
 { De Wil'mo de Wythenhm, 2s.
 Tadlow, { De Fulco fil. War. $\frac{1}{2}$ m.
 Pinnecote, { De Priore de Chickesant, 2od.
 Hattel, { De Wal'to de Ho, 12d.
 Cloptone, { De Ric' de Andevill, 2s.

Craudene, { De Rob'to Lolleman, 2s.
 { De Colino de Feughs, 2s.
 { De Rad' fil. Fulcon,
 { De Hug' Giffard,
 Wendey, { De Wm. Engayne, } $\frac{1}{4}$ m.
 { De Joh' fil. Henr.
 { De Alic' faunz Manch.

Waddone, { De Galf' de Scalar. 2s.
 { De Stepho Turpin, 2s.
 Kneefwrth, { De Rad' de Dunton, } 2s.
 { De particip' fuis.

In hundredo de Stowe.

Stowe, { De Baldwyno de Stowe, } 5s.
 { De Wmō de Stowe,
 { De Symon Camar' 2s.
 Hattele, { De Wmō Sñ George, } 12d.
 { & homage
 { De Gilbo del Sap'
 Croxton, { De Rad' Saunzaver } $\frac{1}{2}$ m.
 { De Philo de Columbers
 Eltesle, { De Baldwyno de Frevill, 5s.
 Brunne, { De Alano de Turri, 12d.
 Caldecote, { De Johne de Caldecote, 1s.
 { De Elena de Beche, 2s.
 { De Galfrido de Toftes, 2s.

Kingston, De Galfr' de Bancis, $\frac{1}{2}$ m.
 Toftes, De Gerardo de Toftes, 2s.
 Everidon, De Elena de Beche, 5s.

In hundredo de Stapelbo.

Burwell, { De Rad' de Cameys, 2s.
 { De Rad' fil. Rob'ti, 12d.
 Lanwade, { De Rob'to de Hastings, 4s.
 { De Johne de Wall, } 2s.
 Sneylewell, { De Walt' de Capellis,
 Wykes, { De Wynero de Thorington,
 2s.

Fordhm, { De Edmōdo de Kemesket, $\frac{1}{2}$ m.
 { De Wal'to de Dunstanvill, $\frac{1}{2}$ m.
 Ifel'm, { De homag' abbs de Salopes-
 bury, 4s.
 Badlingham, De Ebordo de Franceys, 2s.

In hundredo de Stans.

Swaffham, De Hug' de Crauden, 2s.
 Swaffham, { De Comit' de Oxon, 2s.
 { De Thom' de Burgo, 4od.
 Bodekesham, De Comit' Richardo, $\frac{1}{2}$ m.
 Stowe, De Wmō Engayne, 2s.
 Wilburham, { De Will' Gallemach, } 4s.
 { De Martino Carmar,
 Alia Wil- { De Rad' fil. Fulcon, 12d.
 burnham. { De ten' W'mi Piket, 12d.

In hundredo de Radefeld extraneis.

Oxcroft, De Phio Basset, 12d.
 Wrattinge, De Jacobo de Frivill, 2od.
 Karleton, De priore de Lewes, 5s.
 Brinkele, De Wmō' Moyun, 2s.
 Burgo, De Tho. de Burg, 4od.
 Dullingham tenentes terram ^{EX}ñ—12d.
 Sneylewell, De Hen. fil. Will. 12d.
 Parva Karleton, De Wmō' de Kirketon, 12d.

In hundredo de Chevele.

Ditton, De Rob'to de Valeynes, 2s.
 Saxton, De Hen. de Bello Campo, 4s.
 Silverle, De Rog'o Arfik, 3s.
 Asle, De Rob'o de Gynes, 3s.

In hundredo de Chisford.

Sudecamps, De Sarra de Knapwell, 4s.
 Enhale, De Baldwyn de Royle, 2s.
 Wykham, De W'mo Ruffell, 4s.
 Horsea, De Waïro de Capell, 2s.
 P'va Linton, { De Alex' de Sclar', }
 { De Ala'no de Monay, } 5s.
 P'va Abiton, De Eug' de Vallibus, 4s.
 Badburham, { De Galf. de Sclar', 2s.
 { De feodo Bustardi, 2s.
 Pampefwrth, De Rad de Bancis, 2s.

In hundredo de Wittlesford.

Sauston, { De Rad Picot, $\frac{1}{2}$ m.
 { De tent. feod. Gresteyn, $\frac{1}{2}$ m.

In hundredo de Flendish.

Hinton, { De Johne fil. Hen. 4s. viz. 2s.
 { pro Hinton, et 2s. pro Wib-
 burnham et Kneefwrth.
 Feverham, De W'mo de Warbelton, 4s.
 Fulburn, De Nich'o de Bello Campo, 2s.

In hundredo de Northstowe.

Stanton, De Hen. de Nafford, 2s.
 Alia Stant. De P'ho de Stanton, $\frac{1}{2}$ m.
 Hokitone, De ten. feod. Petit, 12d.
 Landbeche, { De Elena de Beche, }
 { De Hug. de Bray, } 1 m.

In hundredo de Cestertone.

Childerle, De Hen. de Childerle, 2s.
 Hyfton, De abbe de Eynesham, 1cs.

In hundredo de Papewrthe.

Pappewrth, De Joh'e Beche, 5s.
 Alia Pappewrth, De Rob'to Belmes, 2s.
 Comiton, { De Rob'to de Coniton, 2s.
 { De Baldw' Blangernum, 2s.
 Bokeswrth, De W'mo fil. Hen. 5s.

In hundredo de Werle.

Malketon, De Nich' de Vavafur, 2s.
 Sepere, { De Hug. Grandin, 4s. } temp.
 { De Rad fil. Fulcon, 3s. } H. 11.
 Harleton, De Rog'o de Huntingfield, 4s.
 Haselingfeld, { De Godefrid de Crau-
 cumbe, 5s.
 { De Rob'to de Sclar, 4s.
 { De W'mo de Thorileya, 2s.
 { De Rob'to de Chastillun, 12d.
 { De W'mo de Dive, 12d.
 { De Gilb' Picot, 12d.
 Berton, { De Gilb' fil. W'mi 12d.
 { De Alanø de Berton, 12d.
 { De Dec. Hen. Torcheneſe, 2s.
 { De Dec. W'ini Babel, 2s.
 Cumber- { De Joh'ne de Cottenham, 2s.
 ton, { De ten. Tho' de Waddon, 2s.
 Granſete, { De Dec. Ebor'de Newnham, 2s.
 { De Ida de Beche, 1 m.
 { De Hen. de Childerle, 2s.
 Wynepol, { De Hugo de Crawden, 12d.
 { Alex' de Bancis, 12d.
 { De W'mo le Franceys, 12d.
 { De Dec. Walt' Daiware, 2s.
 Orewell, { De Petronilla de Orewell, }
 { De Hen. de Orewell, } 3s.

In hundredo de Trippelaw.

Trumpiton, { De ten'tram Johis de Cayly,
 2s.
 Seldeford, Isabella de Sclar $\frac{1}{2}$ m.
 Hardleston, { De Walt'o Clement, 2s.
 { De ten' feodo Gernyun, 2s.

In Comit' Cantab'.

De auxilio vicecomitis de hundredo de Papworth	1	13	6½
Northstowe	0	19	10½
Chesterton	1	2	0
Stowe	1	15	6
Erming Ford	1	2	0
Triplawe	2	3	0
Et pro secta abbatiss' de Chateriz	0	5	0
Et pro quarterio frument' de aux' vic'			
Wetherby	1	13	8
Preter de Johanna Somery in Haslingfeld	0	5	0
Chilford	0	15	9
Whitlesford	0	13	0
Radeford	1	5	6
Cheveley	0	13	0
Stapelhow	0	6	8
Stane	0	13	6
Flemdish	0	7	4

In hundredis diversis habuit prior de B. terras et ten', tenentes, et redditus, servicia et homag', consuetudines et villanos; sed quia ministri vic' frequenter faciunt distractiones voluntarias et injustas, quosdam indebite distringentes, et aliquibus qui juste essent distringendi parcentes, ne de cetero prior vel tenentes sui per hujusmodi distractiones injuste graventer pro sectis com' vel hundredi, auxilio vic' et warpenes, in hoc opusculo fuit utile scribere nomina hundredorum, tenencium, et tenementorum, quæ hujusmodi servicia debent facere, et ab antiquo facere consueverunt. Nec oportebit de cetero propter hujusmodi distractiones ire ad castrum ad videndum rotulum vicecomit': sed potius videant, et doceantur p librum istum.

Annotatio feodorum Comit' Cantabrig' et hundred' aux' vic' sect' et warpenes.

Hundred de Papwrthe.

Gravel,	{	Walt' fili Rob'ti dz 1 sectam et idem et picipes sui debent de aux. vic' 2s. et est ibi 1 hyd' geld.
Cnapwell,	{	Hen. le Quesque dz 1 sect. et de aux. vic' 2s. 12d. pro sect', et est ibi hyd. geld.
	{	Rob'tus fil. Eborardi dz 1 sect. quam cancellavit, de aux. vic' 2d. ob.
Elswrthe,	{	W'mus de Grava dz 1 sect. et de aux. vic' 12d. ibidem.
	{	Ra'd de Crestenton dz 1 sect. et de aux. vic' 12d.
Pappewrthe,	{	Petrus de Beche tenz feod. 1 militis de Com. Oxon. de honore Rich' non dz sectam; de aux. vic' 4s. et sunt ibi quinque hyde geld' et debent pontagium.
Pappewrthe,	{	Rob't de Bemmes tenz feod' di' milit. de feodo Luvitot, et debet sectam ad Com' Hunt' de aux. vic', 4s. de quibus reddit 2s. in Com' Agn' Hunt' et sunt ibidem 7 virgatae terræ geld' et debet pontagium.

N. B. dz signifies *debet* or *debent*, and tenz *tenet* or *tenent*.

- Conitone, { Rob't de Copiton tenz duas ptes feod. unius milit. de feodo Hardwyn de
 Scalar' et dz 1 feſt' et de aux' vic' 4s. Ibidem. Baldwyn Blangiu-
 tenz quintam partem feod' 1 milit' de feod' Pycot, et sunt ibi tres hyd.
 et 1 virgat' terræ geld' et dz pontagium.
- Et memorandum quod feod' qd fuit Agn' le Rope ſolet reddere de man' de
 Stanton in Com' Cantab' de aux' vic' 4s. et de warpenes 2s. et modo quieta ſi
 per cartam dñi regis.
- Overe, { Alaſn de Fuges tenet tram ptem feod' 1 mil' de eſpō Eli, et dz 1 feſtam,
 et de aux' vic' 4s. Ibidem 1 hyd' de pontag'. Ibidem Johs de Cur' dz 1
 feſtam et de aux' vic' 2s.
- Swaveſhe, { Feodo Wydon de cur' dz 1 feſt' et de aux' vic' 2s. Alau's la Zuche
 tz mann' de hon' Rich. Ibidem herdes abbis de Neuwill tz 1 hyd'
 træ geld et dz feſt' et pont' de hon' Rich' per focag' Tota villa dz
 de aux' vic' 2 m.
- Wyvelingham, { Tho' fil Olivæ Rob' Ot. Reg' f. Carpenſ debent 1 feſt' de feodo-
 Eli epi.
- Fendrayton, { Rob' Bollard dz 1 feſt' tz $\frac{1}{2}$ hyd' træ de abbe de Rameſeye.
- Bokeſwatton, { W's fil' Hen' tz feod. 1 mil' et dñi de feodo de Scalar' et dz 1 feſt'
 de aux' vic' 10s. et tz 4 hyd' et $\frac{1}{2}$ geld. et dz pontag'. Ibidem W's
 de Hobreg. tz ibidem Conington, Hatele, et Craudñ feod. 1 mil' et
 de dño rege in capite, et dz 1 feſt' quam Lucas fil' Galf' fac' pro eo.
 et tz 3 hyd' et $\frac{1}{2}$ geld' redd' aux' vic' in Waterbeche.

In hundredo de Northſtowe.

- Stanton, { Henry de Naſford tz feod. $\frac{1}{2}$ mil' de Rad' de thoñ et dz 1 feſt' et de
 aux' vic' 3s. et tz 2 hyd' et $\frac{1}{2}$ geld' et dz pont.—Ibm Willielmus de
 Chedwey tz feod. $\frac{1}{4}$ m. De Bar' Wiſcardi Leydit et dz feſt' et de aux'
 vic' 3s. et tz 2 hyd' geld. — Ibidem Phils de Stanton tz feod'
 1 mil' de Bañ Hamon perche de Hon' Rich' et dz 1 feſt' quam Johs
 ſils Symon fac' pro eo, et dz aux' vic' cum Lollewrthe 3s. et tz 2 $\frac{1}{2}$
 hyd' geld.
- Gretton, { Eborard de Trumpiton tz feod. 1 mil' cum trā Johs Grexi in Calde-
 cote de feodo Peverel; et dz 1 feſt' et infra annum et dimid' de warda
 caſt' $\frac{1}{2}$ m.—Ibidem tz feod. 1 mil' de feodo de Mortun cum trā de
 Berton et de Newnham et de Cantab' Ibidem Galf' fil' Galf' dz 1
 feſt' et de aux' vic' 4 $\frac{1}{2}$ d.
- Lollewrthe, { Phil' de Stanton tz feod. 1 mil' de feodo epi Eli. Ibidem tenet feod.
 1 mil' de hon' de Peverel de Hamon Peche, et sunt ibidem 2 hyd'
 geld' et dz pont' et de warda-caſt' infra ann' et $\frac{1}{2}$ — $\frac{1}{2}$ m.
- Impitone, { Phil' de Inſula tz feodi 1 mil' de eſpō Eliens'.—Ibidem Alex' de Im-
 pitone tz feod. 1 mil' de eſpō Eli, et dz 1 feſt' et de aux' vic' 3s.

Landbeche,

- Landbeche, { Rob' de Beche tz feod. 1 mil' de Bañ Hamoñ, et dz aux' vic' 4s. et tz 5 hyd' træ geld'.—Ibidem Hugo de Bracy tz feod. 1 mil' de feodo epi Eli, et reddit in añ et $\frac{1}{2}$ de warda cast' $\frac{1}{2}$ m. scilz de feodo Rob'ti de Beche, et dz pontag.
- Rampitone, { Rob' de Infula tz feod. 1 mil' de feodo epi Eli, et dz 1 sect' quam Walt' Freman facit pro eo.
- Hokitone, { Joh's de Granfete et participes sui tenent 2 ptes feodi 1 mil' de feodo Peverel in Brōne de Rob'to de Ros' et ibidem Johes dz 1 sect' et de aux' vic' 18d. et de warda cast' Infra añ et $\frac{1}{2}$ 4s. 2 $\frac{1}{2}$ d. et tz 1 $\frac{1}{2}$ hyd' geld' et dz pont.—Ibidem Rob' de infula tz $\frac{1}{2}$ hyd' geld', et in Westwic 2 hyd' geld' et defendit 2 ptes feod. 1 mil' de hon' Rich,—Ibidem Rob' Clivard tz 1 $\frac{1}{2}$ hyd' non geld' pro quarta parte servic' 1 mil' de Com' Hunt' Ibidem Hugo de Burdeley, et Rog' Giffard tenent $\frac{1}{4}$ feod. 1 mil' de Com' Hunt' Abbas Crouland dz 1 sect' et tz $\frac{1}{2}$ villam per totum in lib' elemos.
- Maddingele, { Hugo de Burdeley dz 1 sect' et tz in Maddingele, Rampton, et Coteham feod. 1 m. de Gilb' Peche de feodo epi Eli.
- Middilton, { Godefrid' de Craucumbe tz feod. 1 mil' de Johne de Beche de feodo epi Eli. Pet' fil' Nich' dz 1 sect' pro feodo epi.
- Westwic. { Richard Belebuche tz $\frac{1}{4}$ feod. 1 mil' de epi Eli, et dz 1 sect' et de aux' vic' 2s.
- Waterbeche, { Templar' tenent $\frac{1}{2}$ ejusdm villæ in liberam elemos. de Eli.—Rich' de Butal' tz feodo $\frac{1}{2}$ mil' de feodo W'mi Hobrig de Bokeswrth, et red' aux' vic' cum Bokeswrthe, et tz 1 hyd' geld'.

In Hundredo de Cbesterton.

- Childerle, { Rob' de Ocle tz feod. 1 mil' de Comit' Hunt'—Ibem Joh's de Childerle tz feodo $\frac{1}{2}$ mil' de epi Lincoln, et dz 1 sect' et de aux' vic' 2s. et tres sunt hyd' geld' ibidm, et debet pont'.
- Hyston, { Hen' de Colevile tz feod. 2 mil' de epi Lincoln.—Ibidem de feodo abbatis de Eynesham dz 1 sect' et de aux' vic' 8s. et sunt ibi de feodo ejusdm abbatis 15 hyd' geld, et tz in focag de epi Lincoln, et debet pontag'.
- Cotenham, { Rob't de Infula tz de epi Eli tertiam ptem villæ in focag'—Ibidem Johannes de Cotenham tz feod. 1 mil' de epi Eli, et dz 1 sect' et de aux' vic' 2s.—Ibidem Pet' de Pelh' tz feod. $\frac{1}{2}$ mil' de feodo epi Eli, et dz 1 sect' et aux' vic' 2s.
- Westwic, { Rich' Belebuche tz 1 hyd' træ de feodo epi Eli et dz 1 sect' et de aux' vic' 2s.—Ibidem Rob' de Infula dz 1 sect' quam Joh's Wombe facit pro eo et idem Rob' dz de aux' vic' 4s. et sunt 2 hyd' geld' et dz pont'.
- Drayton, { Rich' de Draytone tz feod. 1 mil' de feodo de Hardewyn de Scalar' et dz 1 sect' et de aux' vic' 3s. et tenet 3 hyd' geld' et dz pont.—Rog' Giffard tz feod. $\frac{1}{2}$ m. Rad' de Mortuom', et tz 3 hyd' geld. et dz pont.—Ibidem prior de Swavesh' tz 3 hyd. non geld' et dz sect' et tz in lib' elemos'.

In Hundredo de Stowe.

- Croxton, { Johs de Scalar' tz $\frac{1}{2}$ feodo 1 mil' de feod. de Scalar' et defend' se pro
1 hyd' geld' et dz 1 sect' et de aux' vic' 12d. et de aux' ppoiti 16d.
Ibm Rað Sampson tz 2 $\frac{1}{2}$ hyd' geld' per serjanciam de dño rege, et dz
2 ptes 1 sect' et de aux' vic' ipse et homag' suum totum 4s. per ann.
Ibm Luciana de Cadamo tz 1 $\frac{1}{2}$ hyd' geld' de eodem feodo, et dz 3
ptes 1 sect' Prior de Hunt' tz de eod' feodo 1 hyd' geld' in lib' ele'
Yvo Quarel tz de eod' feodo 1 hyd' geld'.
- Toft, { Hered' Albri de Neuil tz feod. 1 mil' de hon' Rich' infimul cum 3 $\frac{1}{2}$
virgat' træ in Swavesth' et dz 1 sect' de aux' vic' 2s. et defend' se
pro 2 hyd' geld'—Ibm Roð de Beche tz 1 $\frac{1}{2}$ hyd' geld' de Hamon
Peché.
- Hardwyc, { Liber Eliens' p $\frac{1}{2}$ feodo 1 mil' et dz ad warda cast' infra 3 ann' $\frac{1}{2}$ m.
ad duas vices, et dz pont'.
- Eltesle, { Hen' de Longo Campo tz feod. 1 mil' de baron' de Mumbray, et defend'
se pro 3 hyd' geld' et 1 rod' et dz 1 sect' et de aux' vic' 4s. 6d. et
dz pont'.
- Granteden. Lib' Eliens'.
- Stowe, { W's de Stowe et Baldewyn de eadem tz 2 hyd' geld' p $\frac{1}{2}$ fe. 1 mil' de
fe. abby de Rames' et dz 1 sect' et aux' vic' 4s.—Ibm Symon Cam-
merarius tz 1 hyd' geld' p focag' de Galf' de Scalar' de Waddon, et
dz 1 sect. quam Ada Albert fac' pro eo in comit' et Pet' fil' Alex'
pro eo in hund' et dz aux' vic. 20d.
- Brunne, { Rob' Mile tz feod. $\frac{1}{2}$ mil' de Hamone Peché de hon' Pevē et dz warda
Casta $\frac{1}{2}$ infra 3 ann' et duas vices et dz pont'.—Ibidem Alans de
Turri tz feod. 1 mil' de hon' Rich' et dz 1 sect' et de aux' vic' 2s.
—Ibidem Johs Verley tr 7 hyd' træ viz. 1 hyd' et $\frac{3}{4}$ p $\frac{1}{2}$ fe' mil. de
feodo Rob' fil Walt. et dz 1 sect' et de aux' vic' 21d. et sciend' quod
ibdm sunt 12 $\frac{1}{2}$ hyd' preter tiam prioris de Bern' et tiam prioris de
S̄to Neoto.
- Gamelin-
geye, { Rob' Avenel tz feod. $\frac{1}{2}$ mil' de hon' Bonon.—Walt de Leycest tz
feod. $\frac{1}{2}$ mil' de eod' hon' Gilb' fil' Thom' tz fe' $\frac{1}{2}$ mil' de hon' de
Nevill.
- Hattele, { Rob' de Sap tz tert' ptem fe' 1 mil' de hon' Rich' et dz 1 sect' et tz
1 hyd' geld'.—Ibidem Johs de S̄to Georgio tz 1 hyd' geld' de hered'
Matild' Dive de hon' Peverell.—Hen' de Trumpiton reddit focag'
pro eo.
- Caxton, { Baldewyn de Frevill tz fe' 2 mil' de fe' Scalar de dño rege in
capite, et defendit se pro 6 hyd' geld' et dz 1 sect' et de aux' vic'
8s. 11d.

- Everfdon, { Richd de Andevill tz fe' 1 mil' de fe' Wiscardi Luydet, et defend' se pro 5 $\frac{1}{2}$ hyd' geld' et dz 1 sect' et de aux' vic' 5s. et dz pont.—Rob' Beche tz 1 hyd' geld'—Ibm Warin' Torehenesse tz $\frac{1}{2}$ hyd' non geld' de hon' Rich' et dz 1 sect'.—Ibm Jacobus de Everfdon tz $\frac{1}{2}$ hyd' de fe' epi Eli' et dz 1 sect'. Ibm Rich le Rous et ppes tz 1 virgat tñæ de feodo de Scalax et dz pontag'.
- Caldecote, { Johs fil' Rog' tz $\frac{1}{2}$ hyd' geld' pro 16ma parte feodi 1 mil' de hon' Rich' et dz 1 sect' et de aux' vic' 7d.—Ibm Johs Croxi tz 1 virg' tñæ geld' p $\frac{1}{4}$ feodo 1 mil' de fe' Peverel in Orwell, et dz 1 sect' et de aux' vic' 7d. et de Warda cast' infra 3 anñ 40d. ad 2 vices.—Ibm Theobald' fil' Fulcon tz $\frac{1}{2}$ hyd' tñæ geld' p $\frac{1}{8}$ feodi 1 mil' de feodo de Scalax et dz pont.—Ibm Johs de Elington tz $\frac{1}{2}$ hyd' geld' de hon' Rich' et dz pontagium.
- Kingeston. { Galf' de Bancis tz 3 mil' de Hamone Pech cum tñæ Alex' de Bancis in Wynepol et cum trā Baudethum de Sño Geo. in eadam et cum trā Rob' Beche in Everfdon, et defend' se pro 4 $\frac{1}{2}$ hyd' geld' et dz 1 sect' et dz de war' castri infra 3 ann' 40s. ad 2 vices.—Ibm W's de Sño Geo' tz tram suam in Hattele et Kingestone pro fe. 1 mil. de fe. Matild. de Diva in Eringestone.—Memorandum qđ Nigells de Radewell tz 1 hyd' in Meldeburne geld. — Galf' de Scalax et Tho' de Waddon tz 2 hyd' et 3 virg' tñæ in Crawden.—Rob' de Frugers in ead' 1 hyd' 3 virg' tñæ.—Humsfred' ad ecclm in ead' 1 $\frac{1}{2}$ hyd'. in villa Gildenmerdon 2 $\frac{1}{2}$ hyd' de diversis feodis. Johes Gocelin in ead' 1 hyd'—Alex' Andevill in Cloptone 2 $\frac{1}{2}$ hyd'—Item, Tho' de Pernes in ead' 3 virg' tñæ.—Item, Tho' fil' Hugon' in ead' $\frac{1}{2}$ virg' tñæ.—Item, Galf' de Scalax in homag' in Stepelmordon 1 hyd' tñæ.—Item, Rob' de Fugeres in Alington 1 hyd'. Decanus de Schenegeys 3m ptem 1 hyd' in ead'. Johs le Goye in Basingburne 1 hyd'. Prior de Chickesond in Tadelowe 2 $\frac{1}{2}$ hyd'. Matild' de Dunton in Wendeye 1 virg' tñæ.

In Hundredo de Eringeford.

- Clopton, { Rich' de Andevill tz feod. 1 mil' cum virgat' tñæ in Hatele, et 1 hyd' tñæ in Crawden de Barō Warin' fil' Gerold.
- Sutmord. { W's Kay tz feod. $\frac{1}{2}$ mil' de hon' Bonoñ non dz sect' neque aux' vic'—Wydo de Brecy tz $\frac{1}{4}$ feodi 1 mil' de eod' hon'.—Ibm Galf' de Scalax tz 1 hyd' tñæ de feodo de Scalax non dz sect' et illa hyd' est geld.
- Gilden Mordon. { Pet' de Beche et Walt' d Yfelham tz $\frac{1}{2}$ hyd' tñæ geld' per $\frac{1}{2}$ feodi mil' de hon' Pech'.—Ibm, W's de Wittenton tz $\frac{1}{2}$ hyd' geld' per $\frac{1}{2}$ feodi mil' de eod' hon'.—Ibm W's Pickard tz $\frac{1}{2}$ hyd' tñæ geld' per $\frac{1}{2}$ feodi mil' de eod' hon'.—Ibm Rađ de Bancis tz $\frac{1}{2}$ hyd' tñæ geld' per 4 feoda mil' de eod' hon' et de warda cast' infra ann' et $\frac{1}{2}$ 10s. — Ibm Rob' de Beche tz $\frac{1}{2}$ hyd' tñæ geld' per $\frac{1}{2}$ feodi mil' de hon' de Perche' Baldewyn de Parnes tz 3 virgat' tñæ geld' de Comit' de Sño Paulo p servic' $\frac{1}{4}$ 1 mil' et dz sectam et aux' vic' 2s.—Ibm Hende Mordon dz 1 sect'.

Tadelowe,

- Tradelowe, { Fulco fil' Warn' tz feod. 1 mil' de hered' Rog' Torpell de feodo Peverel.—Ibm prior de Chickesond tz 1 hyd' et 1 virgat træ geld' de Baroniâ W'mi de Bello Campo, et dz 1 sect' et aux' vic' 2s.—Ibm prior de Bernwell tz tram quæ fuit. Hug' de Pinnecote et est de feodo prioris de Chickesond, et dz sect'—Elias le Waley's tz 1 hyd. et 1 virg' træ, et dz 1 sect'.
- Abington, { Phil' de Abington tz 1 fe' 1 mil' de hon' Bonon—Ibm Alanus de Fugeres tz 1 hyd' træ geld' p 3m ptem feodo 1 mil' de feodo Scalar. et ipse Alanus et feod. fil' Jocelini et Humfr' fil' W'mi debent 1 sect'. et de aux' vic' 8d.—Ibm Alex' le Moyne tz 1 virgat' træ geld' de feodo Hardwyn de Scalar' pro 12ma pte feodi 1 mil'.
- Hattell, { W's de Quoye dz 1 sect. quam cancellavit—Walt' de Ho' tz $\frac{1}{4}$ feodi 1 mil' de hon' Rich' 5s. 7 virgat' træ geld' et dz 1 sect' et de aux' vic' 2s.
- Wendeye, { Alic' sine Mauntel et ppes sui tz mann' de feodo Cammarii p focag' de hon' Rich' et dz 1 sect' et de aux' vic' 10s. et sunt ibi 7 hyd' geld' cum Knetfwrthe que est de feodo Camarii.
- Waddon, { Galf' de Scalar' tz feod. 3 mil' de feodo de Scalar' et dz 1 sect' que Tho' de Waddon facit pro eo, et de aux' vic' 7s. 6d cum homag' suo de Mordon et de Knetfwrthe.—Ibm Rad' de Saham tz feod. $\frac{1}{2}$ mil' de hon' Rich' et ipse et Galf' Turpin' dz 1 sect' et tz $\frac{1}{2}$ hyd' træ geld' —Ibm sunt 2 $\frac{1}{2}$ hyd' geld' de homag' G. de Scalar'.
- Hamon de Valeynes tz $\frac{1}{2}$ feod. mil' cum feodo Rich' Biboy's in Abington de hon' Comit' Glov'nie—Ibm W. de Hobrig' tz feod. $\frac{1}{2}$ mil' de Comit' Glovernien de Vet' tenem' et nunc reddit servic. feodi $\frac{1}{4}$ 1 mil'—Alex' le Moyne tz feod. $\frac{1}{2}$ mil' de Comit' Glovernien.
- Bassingburn, { W's le Rus tz feod. $\frac{1}{2}$ mil' de dno rege in capite. Mar's Martin tz 1 hyd' træ geld' p servic' $\frac{1}{2}$ mil' de feodo de Scalar' et dz sect' et de aux' vic' 2s.
- Kneefworth, { Martin Cam'arius et Rad' de Denton tz 4tam ptem feodi 1 mil' de hon' Rich' et Martin dz $\frac{1}{2}$ sect'. Oñes libi tntes dz aliam $\frac{1}{2}$ sect. et tota villat' dz de aux' vic' 4s. sunt ibi 2 hyd' geld'.
- Crawedene, { Rob' Lulleman tz feod. 1 mil' de Hamone Peche, et dz 1 sect' et de aux' vic' 3s. et de ward' cast' infra ann' et $\frac{1}{2}$ — $\frac{1}{2}$ M.—Ibdem Rad' fil. Jocelin' et Humf' ad Monast' dz de aux' vic' 10d.—Alanus de Fugeres tz feod. $\frac{1}{2}$ mil' de feodo Robert Pykot in Bokesfwrthe, et sunt ibi 4 $\frac{1}{2}$ hyd' geld'.
- Meldre, { Alex' de Bancis dz 1 sect' et de aux' vic' 2s. Galf' de Caxton tz 4tam ptem 1 mil' de feodo de Hardewyn de Scalar' et dz 1 sect' et de Melde- { aux' vic' 2s.—Ibm Egid' de Argenten tz 4tam ptem feodi 1 mil' burne, { feodo Wiscard' Leydet.

Hund' de Trippelawe.

- Trumpitone, { W's de Everenes et Alan' de Hyd' tz feod. $\frac{1}{2}$ mil. de hon' Bonon et non dz fect' neque aux' vic'—Ibm Joh's de Kayly tz feod. 2 mil' de hon' com' Aubemarle. s. de hon' Ch'—et dz 1 fect' et de aux' vic' 8s. p ann.—Ibm Hen' de Trumpiton tz feod. 1 mi' de feod. Matild' de Diva et dz 1 fect' quam Albinus fac' pro eo. et dz p ann' 2s. de aux' vic'—Ibm W's Bernard dz 1 fect' et respond' de aux' vic' cum Joh'e de Hayly, et sunt ibi p totum 12 hyd' træ.—verum 9 $\frac{1}{2}$ sunt geld' et 2 $\frac{1}{2}$ hyd' quas Alan' de Hyd' et W's de Everenes tz de hon' Bonon. non sunt geld'—Ibm Eborard. tz feod. 1 mil' de feod. de Mortum.
- Parva Selford, { Baldewyn de Frevill tz 3 ptem fe. 1 mil' de dno rege in capite et de hon' Rich' 4 ptem feod. 1 mil'—et de epo Eli' feod. 1 $\frac{1}{2}$ mil' et idm Baldewyn dz 1 fect' et de aux' vic' 10s. p ann' et ibm sunt 2 $\frac{1}{2}$ træ geld'.
- Stapelford Mag. Selford, { W's de Herleston' tz feod. $\frac{1}{2}$ mil' de feod. Eli et dz 1 fect' et de aux' vic' nich'—Joh's le Moyne dz 1 fect' pro epo Eli et de aux' vic' nich'.—Ibm Joh's fil' Nich' le Moyne tz 2 $\frac{1}{2}$ hyd' træ per serjanciam de dno rege, et non sunt geld' non dz aux' vic' neque fect'.
- Trippelawe, { Nich's de Barrington tz 1 hyd' træ de feod. Mandevill geld' et dz 1 fect' et de aux' vic' nichil.—Ibm Tho' fil' Hen' dz 1 fect' et de aux' vic' nich' et sunt ibi 7 hyd' geld'.—Ibm Joh's de Sclar' dz 1 fect' et de aux' vic' nich'.
- Fulmere, { W's fil' Richd tz feod. mil' de baron Rich' de Munfichet, et ibm dz 1 fect' quam Warin fil' Sweyn fac. pro eo, et de aux' vic' 20s. p ann'.
- Foxton, { Abbissa de Charteriz dz pro 4 pte 1 mil' 5s. et 1 quart' frumenti pro fect' sua.—Ibm Galf' de Bancis tz 1 hyd' terræ de hon. Rich' et non est geld' et non dz fect' neque aux' vic'.
- Haukeston, { Serle de Haukeston dz 1 fect' et de aux' vic' nichil. et idm Serle tz de epo Eli
- Harleston, { Joh's de Burgo tz feod. 1 mil' de feod. ep Eli et nullam dz fect' neque aux' vic'—Ibm Galf' de Schalar' tz feod. $\frac{1}{2}$ mil' de feod. Peverel et dz 1 fect' et de aux' vic' solvit cum feod. Gernegan.—Ibm Walt Clement tz feod. 1 mil' feod. Eli et dz 1 fect' et de aux' vic' 2s.—Ibm de feod. Gernegan 2s. de aux' vic' p ann' et ibem sunt 8 hyd' træ geld'.

Hund. de Wethelſe.

- Erington, { Saerus de S'to Andrea et pps sui tz feod. 1 mil' de com' Glōv' de hon' Rich'—Ibm Rob' de Berke tz feod. 1 mil'.

- Wynepol, { Alanus de Baffingburn tenz feod. 1 mil' de hon' Rich'—Ibidem Rob' de Beche tz feod. 1 mil'. de Hamon Peche, et dz de aux' vic' 4d. et de warda castr' infra ann' et $\frac{1}{2}$ — $\frac{1}{2}$ m.—Ibidem Hen' de Childerle tz feod. 1 mil' de baron. Waring. fil. Gerold. dz 1 fect' et Hug. de Crawedene dz fect' Ibm Galf' de bancis dz 1 fect' et de aux' vic' 12d.—Ibm W'mus de Francis tz feod. $\frac{1}{2}$ mil' de baron Leydet et dz de aux' vic' 10d.
- Orewell, { W's Torpel tz feod. 1 mil' de comit' Glovernie—Ibidem Rob's de Orewell tz 1 hyd' geld, p focag' de Hen' de Bokeswrth, et dz 1 fect' et de aux' vic' 12d.
- Malketon, { Nichs le Vauasur tz feod. 1 mil' cum trā quam Rob' de Insula z de eo in Westwyc et Hokiton de hon. de Rich' et dz 1 fect' et aux' vic' 32d.
- Supere, { Symon Martin tz feod. $\frac{1}{2}$ mil' de baron. Hardewyn de Scalar' et dz 1 fect' et de aux' vic' 32d. Bernard de Rothomag' tz 4 ptem feod 1 mil' de feod. de Scalar' et dz 1 fect' et de aux' vic' 8d.—Ibm Abbissa de Charteriz dz 1 fect' et sunt ibi 2 $\frac{1}{2}$ hyd' geld'. Et sciendm qd Abbissa reddit p ann' 5s. pro fect' et dz aux' vic' 1 quarter frumenti.
- Barington, { Baldewyn de Ver tz 4 ptem feod. 1 mil' de baron. Munfichet—Ibidem totum homag' Rich' de Munfichet dz de aux' vic' 20s. p ann'—Ibm Warin fil' W'mi dz 1 fect' pro Rich' de Munfichet—Ibm Abbissa de Chateriz dz 1 fect' et sunt ibi 6 hyd' geld'.
- Harleton, { Rog' de Huntingfeld tz feod. 1 mil' de com' Glouernie—Ibidem Alex' Maniant tz feod. $\frac{1}{2}$ mil' de baron. Hamon Peche, et dz 1 fect' et de aux' vic' 12d. Rad' Carbonel dz 1 fect' et de aux' vic' 12d. et ibi sunt 5 hyd' geld'.
- Berton, { Alan' de Berton et pptes sui tz feod. 2 mil' de baron. Leydet, et debent 1 fect' et de aux' vic' 3s. 2d.—Ibidem Rob' Cantuar' tz 1 hyd' træ hon' de Leycest' p 4 ptem feod. 1 mil'.—Ibidem sunt 6 hyd' geld', et debent pontag'.
- Cumberton, { Johs de Cotenhm tz feod. 1 mil' de Saero de S'to Andrea de hon' Peverel' et dz ward' cast' infra ann' et $\frac{1}{2}$ — $\frac{1}{2}$ m. et sunt ibidem 2 hyd' geld'.
- Grantesele, { Barthol' Pech' tz 1 $\frac{1}{2}$ feod. mil' de hon' Bon'.—Ibidem Rob't le Eyr dz fect' et pont—Ibm Hawisa de Quinci tz fe' 1 mil' de hon' de Mortum' VES' Walt. et dz aux' vic' 12d.—Ibm Hen' Rodes tz feod. $\frac{1}{2}$ mil' de baron' Leydet, et dz 1 fect' et de aux' vic' 12d.
- Heselingfeld, { Steph's de Sumeri tz feod. $\frac{1}{2}$ mil' de dno rege in capite, et dz 1 fect' et de aux' vic' 5s.—Ibm Rob' de Scalar' dz 1 fect' et de aux' vic' 12d. Priorissa de Stratford tz feod. $\frac{1}{2}$ mil' de com' de Mandevill. Ibm Rog' de Meldeford tz 1 $\frac{1}{2}$ hyd' de abbe Eborac' p focag' et dz fect'. Ibidem sunt 13 hyd' geld'.

Hund. de Chilford.

Caumpes,

Comes Oxoniæ.

Sude.

- Sudecamps, { W's Burre et p̄p̄es fui tz feod' 1 mil' de baron' de Rich' Munfichet.
—Ibidem W's de Knapwell dz 1 fect' pro tota villa per ann'—Ib̄m
funt 2 hyd' geld'.
- Noftrefeld, Feod. de Berners et feod. prioris de Hatfeld debent de aux' vic' 28d.
- Enhale, { Baldewyn de Rosfye tz 1 hyd' træ geld p̄ servic' feod' 1 mil' de hon' de
Wyrmegeye—Ibidem id̄m Bald' dz 1 fect' & de aux' vic' 4s. p̄ ann'
—Clar'.
- Wicham, { W's Roffel et Steph's de Hays tz 2 hyd' træ de feod. com' Oxon' de hon'
Rich' p̄ servic' 4 mil. et hyd' quam Steph' tz est geld' et dz 1 fect' et
de aux' vic' 2s. p̄ ann' B.
- Stratle, Tho' de Lamford tz man' de ēp̄o Eli p̄ servic' 1 mil.
- Horsey, { Walt's de Capell tz feod. $\frac{1}{2}$ mil' de com' Oxon' de hon' Rich'—Ibidem
Walt' dz 1 fect' et de aux' vic' 12d. p̄ ann' et ibi funt 3 hyd' geld'
B.—Ibidem est $\frac{1}{2}$ virgat' træ quæ fuit Galf' fil' Rich' et quam tenuit
de hon' de Clare p̄ servic' $\frac{1}{4}$ feod. 1 mil'—Ibidem Galf' dz fect' et de
aux' vic' 10d. p̄ ann' Clar'—Ibidem de feod. de Bokes et de Knevill
et W'i Barbedor' debent 2 fect' et de aux' vic' 14d.
- Berclawe, { Maur' de ead' et Rað de Elfond' tz feod. 1 mil' cum Norton in com'
Exe' de com' Oxon, de hon', et hidata est in magna Campes—Hubs
Povere tz $\frac{1}{2}$ hyd' geld. de hon' de Lamele.
- Bercham, { Nich de Fornell tz feod. 3 mil' de hon' Rich' non dz fect' neque aux' vic'
et funt ibi 4 hyd. non geld'.
- Linton, W's de Sey tenz fe' 1 mil' de hon' Rich' et non dz fect' neque aux' vic'.
- Parva { Alex' de Scalar' et Alanus de Money tz fe. 1 mil' de hon' Rich'—Ib̄m
Linton, { dz 1 fect' et aux' vic' 2s. p̄ ann' et funt ibi 2 $\frac{1}{2}$ hyd' træ geld.
- Hildriche- { Phil' de Danys et W's le Ros tz feod. 1 mil' de com' Oxon', et non
sham, { debent fect' neque aux' vic'; et ibi funt 5 hyd' non geld'.
- Abington, { Com' Oxon' tz 7 hyd' træ non geld' et dz de aux' vic' 4s. per ann' et
nullam de fect' Clare.—Ibidem Comitissa dz 4s. de firma et de hered'
Canvill 16d. de firma.
- Parva { Hug' de Vaus, Herveus fil' Pagani, et p̄pres fui tz feod. 1 mil' de hon'
Abington, { Rich. et dz 1 fect' et de aux' vic' 4s. et funt ibi 4 hyd' træ geld'. B.
- Badbur- { Galf' de Scalar' tz feod. 1 mil' de hon' Rich' et dz fect' et de aux' vic'
ham. { 2s. 11d. p̄ ann'—Ibidem tz Joh'es de Sauston $\frac{1}{4}$ feod' 1 mil' de feod'
Hardwyn de Scalar' et dz aux' vic' 2s. per ann' et nullam dz fect'—
Ibidem tz Tristram de Fraxino $\frac{1}{4}$ feod' 1 m. de feod. com' Winton
de hon' de Trassinton, et dz 1 fect' et de aux' vic' 2s. per ann' et ibi
funt 7 hyd' quarum 3 $\frac{1}{2}$ funt geld' Clar'.—Ib̄m Tho' Hamelin dz 20s.
de firma. Ib̄m feod. W'mi Pirot dz 13d. de aux' vic'. B.
- Pampef- { Rad' de Bancis tz $\frac{1}{4}$ 1 mil' de hon' Rich' et dz 1 fect' et de aux' vic' 2s.
wrth, { —Ib̄m Rob' Safrey et W's Ferard tz 1 hyd' træ p̄ servic' $\frac{1}{4}$ feod. 1 mil.
de hon' Rich' et dz per ann' de aux' vic' 8d.—Ibidem funt 7 hyd'
verum $\frac{1}{2}$ hyd' træ quam Rad' de Bancis et Will' fil' Rad' et Rob'
Saffrey tenet $\frac{1}{2}$ hyd', et funt geld'.

Horseye, { Item de Horseye Johis de Penfeld dz 6d. de firma, et 4d. de aux' vic
—Ibidem W's Minac' dz 1 sect' et de aux' vic' 4d.

Hund. de Wtlesford.

Hinxton, { Est ibidem feod. 1 mil', verum Saerus de S'to And'r et p'p'es sui tz medi-
etatem et heredes de Torpel medietatem de d'no rege in capite, et dz
de aux' vic' 2s. per ann' et non dz sect' Clar'.—Ibm sunt 20 hyd' træ
non geld'.—Ibm W's de Barbador dz 1 sect' et de aux' vic' 2s. et de
feod' de Lincoln' Clar'.—Ibidem Tristram de Fraxino dz ad ward'
cast' $\frac{1}{2}$ m. infra ann' et $\frac{1}{2}$.

Iklinton, { Est de hon' Bonon' et debz sect' neque aux' vic'. Sed dz per ann' 2s. de
warda peñ et sunt ibm 20 hyd' træ non geld' et ibidem hyd' geld'
quam abbas de Derhm et priorissa de ead'.

Dukeswrthe, { Heredes Gaudini tz feod. $\frac{1}{2}$ mil' de hon' Rich' et Rad' Saham tz
aliud $\frac{1}{2}$ feod. mil' de hon' Rich' et dz sect' et de aux' vic' 2s.—
Ibidem Jordanus de Aubernum tz $\frac{1}{2}$ feod. 1 mil' de com' Marefcall,
et non dz sect' neque aux' vic' 11s.—Ibidem Andr' de Goys tz 1
sect' et de aux' vic' 3s.—Ibidem sunt 4 hyd' geld' de feod. Rad' de
Saham et Alic. de Furnivill, et dz sect' et pont'.—et sunt ibidem per
totum 20 hyd' Clar' Prior de Wtlesford tz 1 virg' træ feod. W'i
de Colevill, et dz sect' et pont.

Wtlesford, { Rog' de Akeny tz man' de Wtlesford de Rad' de Thony p focag'—
Ita qd dz habere cum predic. Rad' in exercitu quando idm Rad'
ibit cum d'no rege in exercitu, et ibidem sunt 12 hyd' træ non geld'
dz 1 sect'.

Sauston, { Rich' de Attaueston tz feod' 2 mil' de d'no rege in capite, et dz 1 sect'
et aux' vic' 2s. per ann' et sunt ibi 4 hyd' geld'. Ibidem Rob' de
Someri tz ptes 11 mil' de feod' comiteffe, et non dz sect' neque aux'
vic' Abbas de Gresteyn tz 2 hyd' træ in elemos' et sunt ibi per totum
8 hyd'.

Hund. de Radeford.

Oxcroft, { Phil' Bassët tz feod. 1 mil' de honore Rich' et dz 3 ptes sect' et Phil'
Rikespaud 3 ptes sectæ, et Phil' Bassët dz p ann' de aux' vic' 18d. Et
sunt ibi 2 hyd' geld'.

Wrattinge, { Jacobus de Frevill tz feod. 2 $\frac{1}{4}$ mil' cum terra Joh's Jacob in pva
Karleton. W's de Kirketon et trā Herberti de Alenton in Swaff-
ham, et pro eod. Jacobo Joh'es de Walepol dz facere 1 sect' et
Joh'es Jacob. 1 sect'—Idm Joh'es dz de aux' vic' 6s. et idm Joh'es
habet in Wrattinge 2 $\frac{1}{2}$ hyd' geld'.

Weston,

- Weston, { Rog' de Colevill tz feod. 1 mil' de comit' Waren'. Ibidem. Hugo Grandin tz $\frac{1}{4}$ feod. 1 mil. de hon' Rich'—Ibm W's Kirketot, Rog' Leuerrer, Johs Raukill, Johs Waleman, debent facere 1 sect. pro feod. Rog' Colevil. Hug' Grandin dz 1 sect' ad comit' et hund' et idm Hug' dz de aux' vic' 4s.—Ibm tz Rog' Colevill $7\frac{1}{2}$ hyd' geld.—Ibm Hug' Grandin tz $1\frac{1}{2}$ hyd' geld.—Ibm W's de Kirketot tz 1 hyd' træ quæ jacet in Parva Karelton, et est geld' et est de feod. de Hardwyn de Scalar'. Idm W's dz p ann' 18d. de aux' vic'.
- Karleton et Willingham, { Prior de Lewes tz 6 hyd' geld' et dz p ann' 10s. de aux' vic'.
- Brinkele, { W's de Moyun tz 3 hyd' træ geld' et dz p ann' 4s. de aux' vic' et Rich' Luce dz 1 sect. pro feod. W'i de Moyun, et idm tz prædic' trām de Rad' Tony in focag.
- Burgum, { Tho' de Burgo tz feod. 2 mil' in burg' in Swaffham de hon' Rich'. Ibm sunt $5\frac{1}{2}$ hyd' træ geld'. Idm Tho' dz 1 sect. et Rog' de Effex 1 sect' et pds Tho' p ann' de aux' vic'.
- Dullingham, { Joh's Bifet 6 hyd' træ geld de omibz quietas—Ibidem tz Estrangia hyd' træ geld. de feod. Hardewyn de Scalar' et dz p ann' 4s. de aux' vic' Eadm Estrangia dz 1 sect' et Rad' Matefrey dz 1 sect' et idm Rad' tz 1 hyd' træ in ead' de feod. Britann' prædicta Estrangia cum trā Johs fil' Hug' in Swaffham tz predictam terram pro feod. 1 mil' de feod. Hardewyn de Scalar' Rad' Matefrey dat' p ann' 12d. de aux' vic' de hon' Rich.
- Steueche-wrthe, { Hen' fil' Will'i tz 1 hyd' træ de hon' Rich' p focag' et dz aux' vic' 12d. per ann'.

Hundred. de Cheveley.

- Kertling, { Rad' de Thoni tz Kertling pfer janciam de dno rege, et ibi sunt 10 hyd', træ non geld', et in villa de Kertlinge nulla est sect' neque aux' vic'.
- Ditton, { Rad' de Cameys tz Ditton ad feod. firmam p 10s. de hered' Rad' fil' Hug' et ibidem sunt 10 hyd' geld', et idm Rad' dz per ann' 1 sect' et de aux' vic' 4s. per ann'.
- Saxton, { Tho' de Valeneys tz Ditton de feod' Cameys per servic' militare de hon' Rich' scit. feod. 3 milit' ibidem sunt 5 hyd' træ geld' et ibm idm Tho' dz 1 sect' et de aux' vic' 4s. per ann'. Tho' de Lauenham Hen' de Bello campo tz Sexton de com' Oxon' per servic' militar' viz. feod. 2 mil'.—Idm Tho' dz 1 sect' per ann' et de aux' vic' 2s. per ann'.—Ibm Hen' de Bello Campo dz 1 sect' et de aux' vic' 2s. per ann'.—Ibm sunt 2 hyd' træ geld'. Et Tho' de Lauenham est capitalis dñs ejusdm villae.
- Sylverleye, { Galf' Arfic tz feod. 2 mil. de comit' Oxon' et ibidem sunt 6 hyd' træ. et 40 acres geld'. Ibidem Galf' dz 1 sect' et de aux' vic' 4s. per ann'.

- Chevele. { Hamon Peché tz feod. 1 mil' de comit' Ric'i Mareſcall' et ibidem de eod' feod. 3 hyd' et non geld. et non debent ſect' neque aux' vic.—Iſm W's fil' Luce tz 6 ptem 1 mil' de feod' de Hen' Kemesh de hon' Rich' Iſm W's dz 1 ſect' et de aux' vic' 12d. per ann'.—Et eſt ibidem de eod' feod' $\frac{1}{2}$ hyd' geld'.
- Aſſele. { Rob' de Gynes tz feod' 1 mil' de Hen' de Bello Campo. Et Tho' de Valeynes de feod. comit' Oxon. Ibidem ſunt 3 hyd' et 40 acres træ geld'.—Iſm. Rob' dz 1 ſect' et de aux' vic' 2s. per ann'.

Hundred. de Stapelbo.

- Burwell, { Abbas de Rameſeye tz 10 hyd' træ non geld' de dño rege in capite. Ibidem tz Rad. Carreys 2 $\frac{1}{2}$ hyd' træ de feod. Britann' et hon' Rich' per ſervic' feod. 1 mil'.—Iſm dz per ann' 3s. de aux' vic' et dz. 1 ſect. quam Auch fil' Eudon. et Gilb' fil' Galf' faciunt. pro eo. Ibidem tz Hen' fil' Rob' 1 hyd' et 1 virgat' træ de hered. Tho' de Burgh de hon' Rich' et reddit ad ſcutag' 2s.—Iſm dz Johs Fereſfeld 1 ſect' per ann'. Ibidem dz Rob' fil' Yvon 1 ſect' per ann' Abbiſſa de Charteriz tz 1 $\frac{1}{2}$ hyd'. træ de feod' epi Eli in liſm elemos'.
- Landwade, { Rob' de Haſtings tz 2 hyd' tre geld' de hon'. Rich' per ſervic' 1 mil' dz 1 ſect' et de aux' vic' 2s.
- Sneylewel, { Johs de Vaus' tz feod' 1 mil' de baron' W'i Perci—Iſm ſunt 4 $\frac{1}{2}$ hyd' geld' et tota villa dz 1 ſect' et de aux' vic' 5s.
- Wyke, { Wymer de Corrington tz feod. 1 mil' de hon' Rich'.—Iſm ſunt 3 hyd' træ non geld' et tota villa dz 1 ſect' quam Johs de Sireſman facit pro ea.
- Saham, { Hub'tus de Burg' tz $\frac{1}{2}$ feod. mil' de dño rege. Phil. Baſſet tz feod. 1 mil' et Radd de Saham tz feod. $\frac{1}{8}$ mil' de hon' Rich'.—Iſm ſunt 11 hyd' træ geld'.
- Kenet, { Nichs de Kennet tz feod. 1 $\frac{1}{2}$ mil' de comit' de Warenn' ibidem ſunt 3 $\frac{1}{2}$ hyd' non geld. et tota villa dz ſect' et non aux' vic'.
- Yfelhani, { Walt' de Doneſtanvill tz 2 ptes ejuſd' villæ p ſerjanciam de hon' de Meldham non geld'. Iſm tz Rob' fil' W'i $\frac{1}{2}$ feod. mil' de epi Rochest' et iſm Rob' tz 1 $\frac{1}{2}$ hyd' et homines ſui dz 1 ſect' et de aux' vic' 16d. Clar'—Prior de Ely tz 1 hyd' træ in lib'm elemos'.
- Parva Yfelham, { Walt' de Yfelham tz 40 acras træ de Walt' de Dunetanvill per focag'. —Iſm Walt' et p̄p̄es ſui tz 42 acras træ de feod' de Burg' p focag' et dz 1 ſect' p ann' et idem debent 4d. p ann' de aux' vic'.—B.

Hundred. de Stane.

- Bodekeſham, { W's fil' Martin et Johs de Relle tz feod' 1 mil' de hon' de Bukiſham —Iſm Euſt' de la Lande dz 1 ſect' et Hug' fil' Auguſtini 1 ſect' pro comit' quas debent pro tota villata—Iſm ſunt 10 hyd' træ geid' et tota villa dz 2 marc' de aux' vic' et franco pleg'.

Queye

- Queye, { W's de Hobrigge tz feod' 1 mil' de e^po Eli, et dz 1 fe^ct'—W's de Queye tz in Queye et in Hattete feod' $\frac{1}{2}$ mil' de W'mo de Hobrigge qui tz in capite de dno rege—I^dm W's de Hobrigge dz 'per ann' de aux' vic' pro Queye, Bokewrthe, Coniton, Beche, Grandene, Hattete 10s. Albricius dz fe^ct'.
- Stowe, { W's tz feod' 27 ptes 1 mil' de feod. A^bbis de Rameſe, i^dm W's dz fe^ct' et de aux' vic' 18d. Clar'—Ibidem Brian' fil' Alan' tz 1 hyd' tre pro 4ta pte feod. 1 mil' de hon' Britannia. —Ibidem in Queye sunt 3 $\frac{1}{2}$ hyd' et 10 acr. træ geld' et 6 $\frac{1}{2}$ hyd' træ de libro Elienⁱ.
- Wilburham, { W's Talemach tz feod. 1 mil' et Martin' Camerar' feod. $\frac{1}{2}$ mil' de com' Oxon' Rog' le Lourd dz 1 fe^ct' pro tota villa, et dz villa per ann' de aux' vic' 4s. et ibidem sunt 4 hyd' geld' Clar'.
- Wilburham Regis, { Rob' de Insula tz 2 hyd' træ de hon' Britan' p focag' Rad' fil' Fulcon tz 40 acr' træ ibidem de hon' Britan' p focag' idem Rad' dz d aux' vic' per ann' 10d.—Et idem Rad' et Johs fil' Hen' tz 1 hyd' træ geld'. Et Templar' et W's Pikot tz 3 hyd' træ non geld' et nulla secta debetur in Wilburham.
- Swaffham, { Comitissa Oxon. tz feod. 1 mil' de hon' de Clare et null' reddit scutag'. Ibidem dz W's fil' Mayerni 1 fe^ct' Galf' ad Fordh^m 1 fe^ct' Martin le Blund' dz 1 fe^ct' et Rich' Birt et p^pes sui 1 fe^ct' Ibidem debent de aux' vic' 7s. 10d. per ann' Ibidem sunt 10 hyd' geld'—Clar'.
- Alia Swaffham, { Hug' de Crawdene tz feod. 1 mil' de feod. Hamon Peche, et tz 1 $\frac{1}{4}$ hyd'—i^dm Hug' dz 1 fe^ct' et de aux' vic' per ann. 12d. B. Ibidem Eborard le Franceys dz 1 fe^ct' et de aux' vic' 12d. per ann' et tz 1 hyd' B.—Ibidem Johs fil' Bald. dz 1 fe^ct' et de aux' vic' 2s. per ann'—Clar'.—Ibidem Herbert' de Alenchum tz in Swaffh, Carlet, Baleſh' et Badburh feod. 1 $\frac{1}{4}$ mil' de feod. Hard' de Scal' i^dm dz 1 fe^ct' de aux' vic' 18d. per ann'. Ibidem sunt 7 hyd' træ geld' et 3 de libro Eliens' Clar'.

Hundred. de Flemedich.

- Teverſham, { W's de Warbleton tz 3 $\frac{1}{2}$ hyd' de hon' Rich'—I^bm War' Torche- nesse et Rad' Matefreys tz 1 hyd' et 1 v^rg' træ geld' de hon' Rich' et dz 1 fe^ct. et de aux' vic. 20d. —Ibidem Rob' de la Marcer tz 1 hyd' træ geld' de e^po Eliens. et dz 1 fe^ct' et de aux' vic' 6d.
- Fulburn, { Nichs de Bello Campo tz feod. $\frac{1}{2}$ de dno rege in capite, et dz 1 fe^ct' et de aux' vic' 4s. et tz 4 hyd' træ geld.—Ibidem Rob' de Maners tz de e^po Eli et solebat facere fe^ct' et dz aux' vic' 2s. 10d. et tz 3 hyd' quæ solebant eſſe geld'.—Ibidem Rog' la Zuche tz per focag' et dz de aux' vic' 1 marc' de hon' Rich'. Ibidem W's fil' Waren' tz feod. $\frac{1}{2}$ mil' de com' Eſſex. Hamon Paſſelowe tz 4 hyd' non geld' de comit' Mareſcallo per focag'.
- Hinton, { Alan de Neuill tz feod. 1 mil. de hon' Rich'—I^bm Johs fil' Hen' tz feod. $\frac{1}{2}$ mil' de hon' Rich'—tota villa dz 1 fe^ct' et de aux' vic' 8s.

N° XVII.

The Twentieth Part upon all Ecclesiastical Revenues, which was granted to King Edward the First by the Pope, and assessed by Walter Bishop of Norwich, was collected by the Prior of Barnwell, and is as follows : *

Decanatus de Wissebeche;	Value	Vicesima
Ecc' de Leverington, cum vicar.	80 marc	4 marc
Neuton, cum vicar.	35 m.	22s. 4d.
Ecc' de Tid.	50 m.	2 $\frac{1}{2}$ m.
Elm, cum capella de Emenethe	60 m.	3 m.
Wysebeche	30 m.	2s.
Vicaria de eadem	10 m.	$\frac{1}{2}$ m.
Vicaria de Elm	12 m.	8s.

Decan de Ely.

Wytefeye St. Andr'	15 m.	10s.
St. Mariæ	20 m.	1 m.
Chateriz	20 m.	1 m.
Dodingtone	50 m.	2 $\frac{1}{2}$ m.
Straham	30 m.	20s.
Dunham	20 m.	1 m.
Wycheford	15 m.	10s.
Emtone	18 m.	12s.
Wyham	20 m.	1 m.
Wynteworthē	15 m.	10s.
Littleport	15 m.	10s.
Mephale	4 m.	32d.
Coveneye	6 m.	4s.
Hadenham	60 m.	3 m.
S ^t æ Marie de Ely	75 m.	5s.
Wilbertone	20 m.	1 m.

Decan' de Canteb'.

Omnium S ^t orum ad Castrum	5 m.	40d.
Ecc' S ^t i Egidii	5 m.	40d.
S ^t i Petri ad Castrum	20 s.	12d.

* This tax was granted anno 1254, as appears by Annales Monast. Burton, p. 360. Ed. Gale.
N. B. The year 1254 was the 38th of Henry III.--Q. Was it not 1255?

	Value	Viceffima
S ^t i Clementis cum Vicaria	7 m.	4s. 8d.
S ^t i Sepulchri	1 m.	8d.
O ^m i S ^t orum juxta hospitale	4os.	2s.
S ^t i Michaelis	2 m.	16d.
S ^t æ Mariæ	12 m.	8s.
S ^t i Edwardi	3 m.	2s.
S ^t i Johis	5os.	3od.
S ^t i Botulfi	8 m.	5s. 4d.
S ^t i Benedicti	8 m.	5s. 4d.
S ^t i Petri ad Portam	6 m.	4s.
S ^t i Andreæ	5 m.	4od.
S ^t i Trinitatis	2os.	12d.
Vicaria ejusdem	1os.	6d.
Capella S ^t i Andreæ de Bernewelle	12s.	7d. $\frac{1}{4}$
S ^t i Vigoris de Fulburn	17 $\frac{1}{2}$ m.	11s. 8d.
Vicaria ejusdem	2os.	12d.
Porcio Prioris de Penfend	5 m.	4od.
Capella S ^t i Eadmundi in eadem	2 m.	16d.
O ^u m S ^t orum de Fulburn	40 m.	2 m.
Hintone	30 m.	2os.
Teversham	25 m.	17s.
Dittone	30 m.	2os.
Herningesheye	25 $\frac{1}{2}$ m.	17s.
Vicaria ejusdem	2os.	12d.
Vicaria de Hintone	4s.	2s.
Abbissa de Berkinge habet in capella S ^t i Eadmundi de Fulburn }	4 m.	32d.

Decanat. de Cestertone.

Hokitone	20 m.	1 m.
Prior de Bernw. in eadem	2 m.	16d.
O ^u m S ^t orum de Stantone	22 m.	15s.
S ^t i Michaelis de Stantone	10 m.	$\frac{1}{2}$ m.
Wyvelingham	22 m.	14s. 8d.
Cotenham	33 m.	22s.
Prior de Bernw. in eadem	15s.	9d.
Abbas Croyelandiæ	1 m.	8d.
S ^t i Andreæ de Hyftone	16 m.	1os. 8d.
Prior de Hake in eadem	2 m.	16d.
Prior de Bernw. in eadem	2 m.	16d.
S ^t æ Etheldrede de Hyfton	20 m.	1 m.
Abbas de Eynsham in eadem	4 m.	33d.
Ecca de Drayton	25 m.	16s. 8d.
Abbas Croylandiæ in eadem	1 m.	8d.

	Value	Viceffima
Overy	25 m.	16s. 8d.
Abbas de Ramefeye in ead.	1 m.	8d.
Maddingle	15 m.	10s.
Grettone	25 $\frac{1}{2}$ m.	18s. 4d.
Abbas de Ramefeye in eadem	2 $\frac{1}{2}$ m.	2cd.
Imperone	18 m.	12s.
Prior de Ely in eadem	20s.	12d.
Ramptone	10 m.	$\frac{1}{2}$ m.
Prior de Bernw. in eadem	3 m.	2s.
Landbeche	10 m.	$\frac{1}{2}$ m.
Prior de Bermundifeya in ead.	10s.	6d.
Prior de Bernw. in ead.	20s.	12d.
Cestertone	5 m.	2 $\frac{1}{2}$ m.

Decant. de Knapwell.

Gravele	10 m.	$\frac{1}{2}$ m.
Pappwrthe Agn.	100s.	5s.
Prior de Hunteon in ead.	4 m.	32d.
Pappwrthe Everard	7 m. 4cd.	4 m. 10d.
Prior de Swavefey in ead.	20s.	12d.
Conington	100s.	5s.
Fendraytone	8 m.	5s. 4d.
Swavefheye	20 m.	1 m.
Vicaria ejusdem	100s.	5s.
Bokeswrthe	20 m.	1 m.
Lolleswrthe	100s.	5s.
Prior de Bernw. in eadem	3 m.	2s.
Cnapwell	6 m.	4s.
Elleswrthe	22 $\frac{1}{2}$ m.	15s.
Prior de Sfo Yvonis in ead.	10 m.	$\frac{1}{2}$ m.
Childerle major	9 m.	6s.
———minor	20s.	12d.
Abbas de Ramefeye in Gravele	4 m.	32d.
Idem abbas in Elleswrthe	10 m.	$\frac{1}{2}$ m.
Idem abbas in Cnapwell	40s.	2s.

Decan. de Brunne.

Gamenegeye	23 m.	15s. 4d.
Hungerhattele	4 m.	32d.
Prior de Bernw. in eadem	1 m.	8d.
Croxtone	15 m.	10s.
Caxtone	15 m.	10s.
Stowe cum vicar.	17 m.	11s.

	Value	Viceffima
Elteffe	21 m.	14s.
Brunne	28 m.	18s. 8d.
Caldecote	5 m.	4 ^{od} .
Grantedene	20 m.	1 m.
Kingstone	8 m.	5s. 4d.
Prior de Bernw. in ead.	3 m.	2s.
Everfdone Parva	6 m.	4s.
Prioriffa de Markeyate in ead.	5 m.	4 ^{od} .
Everfdone Magna	15 m.	10s.
Ecc'a de Toft	8 m.	5s. 4d.
Prior de Swavefeye in ead.	$\frac{1}{2}$ m.	8d.
— de Bernw. in terris	3 m.	2s.
Herdwyc	12 m.	8s.

Decanat. de Bertone.

Ecc'a de Bertone	20 m.	1 m.
Prior de Bernw. in ead.	4s.	2d. $\frac{1}{2}$
Stapelford	15 m.	10s.
Scelford Magna	36 m.	24s.
—— Parva	14 m.	9s. 4d.
Trippelawe	50 m.	2 m. $\frac{1}{2}$
Fulmere	36 m.	24s.
Vicaria ejufdem	6 m.	4s.
Foxtone	5 m.	2 $\frac{1}{2}$ m.
Scepreeye	15 m.	10s.
Harleitone	12 m.	8s.
Barentone	64 m.	3 m. 32d.
Malketone	4 m.	32d.
Grantefete	14 m.	9s. 4d.
Prior de Sco Neote in ead.	20s.	12d.
Cotes	100s.	5s.
Prior de Bernw. in ead.	4s.	2d. $\frac{1}{4}$ $\frac{1}{2}$ farthing
Aringtone cum decimis de Sees	13 m.	8s. 8d.
Orwell	12 m.	8s.
Abbas de Sees in ead.	20s.	12d.
Hafelingfeld cum laico tenemento	60 m.	3 m.
Prior de Bernw. in eadem	1 m.	8d.
Wynepol	24 m.	16s.
Vicaria ejufdem	4 m.	32d.
Prior de Swavefeye in ead	20s.	12d.
Prior de Bernw. in ead	10s.	6d.
Harleitone	9 m.	6s.
Prior de Longa Villa	20s.	12d.

H h 2

Idem

	Value	Viceffima
Idem Prior in pencionē	2os.	12d.
Cumbertone	12 m.	8s.
Trumpitone	20 m.	1 m.
Vicaria ejusdem	10 m.	$\frac{1}{2}$ m.
Ab. de S ^{to} Albano	5 m.	4od.
Prior de Lewes	5 m.	4od.
Prior de Bernewelle	1os.	6d.
Prior de Biffemedwe in terris	5 m.	4d.
Haukifstone et capella de Neutone	15 m.	1os.
Portio Prioris de Ely	10 m.	$\frac{1}{2}$ m.
Vicaria de ead.	5 m.	4od.

Decan' de Scenegeye.

Meldeburne	6 $\frac{1}{2}$ m.	41d. mistake.
Melree	30 m.	2os.
Vicar. ejusdem	5 m.	4os. qry 4od.
Waddone	30 m.	2os.
Prior de Lewes in ead.	5s.	33d.
Abbas de Laundenē in temporalib	5 m.	4od.
Wendeye templariorum	29 m.	19s. 4d.
Templarii in ead	10 m.	$\frac{1}{2}$ m.
Bassingburne cum suis capellis	120 m.	6 m.
Vicaria ejusdem	2os.	12d.
Prior de Rumburk	5 m.	4od.
Litlington	30m.	2os.
Abbas de Eynesham in ead.	45s.	27d.
Stepelmorden cum capellis.	100m.	5m.
Schenegey hospitalis	15m.	1os.
Abbinggeton	10os.	5s.
Thadelawe	15 m.	1os.
Cloptone	12 m.	8s.
Crawedene	15 m.	1os.
Vicaria ejusdem	4 m.	32d.
Hattele	10os.	5s.
Gildene Morden	40m.	2 m.
Vicaria ejusd	2os.	12d.
Canonici de Novo Loco intemplbz	5os.	3d.
Prior de Ware in Melree in templbz	10m.	$\frac{1}{2}$ m.

Decanat'

Decanat' de Habitone.

	Value.	Viceffima.
Ykelington	20 m.	1 m.
Abbas de Sautre	100s.	5s.
Hospitalis de Neuporte	2s.	1d. $\frac{1}{2}$ farthing
Abbas de Derham	100s.	5s.
Prior de Monte Mokelin	100s.	5s.
Hinkstone	12 m.	3s.
Dokesworthe S ^{ti} Petri	18 m.	12s.
Dokesworthe S ^{ti} Johis	16 m.	10s. 8d.
Witlesford	25 m.	16s. 8d.
Saustone	20 m.	1 m.
Abbas Grestingæ	18 m.	12s.
Pampesworthe	12 m.	8s.
Precentor de Ely	50s.	30d.
Prec. de Bernwelle	22s.	13d. $\frac{1}{4}$
Abbas de Waltham	10s.	6d.
Badburham	25 m.	16s. 8d.
Abbas de Sautre in templ ^{ibz}	6l.	6s.
Prior de Hatfeld in templ ^{ibz}	60s.	3s.
Abitone Mag.	10 m.	$\frac{1}{2}$ m.
Prior de Hatfeld reg.	5 m.	40d.
Abbitone Parva	9 m.	6s.
Abbas de Waltham in ead	17s.	10d. $\frac{1}{4}$
Idem Abbas in Badburham	8l.	8s.
Prior de Rumburgo	4 m.	32d.
Hildri ^{tham}	12 m.	8s.
Prior de Hatfeld reg.	4 m.	32d.
Lintone	20 m.	1 m.
Prior de Swaveseye	18s.	10d. $\frac{3}{4}$
Prior de Rumburgo	3 m.	2s.
Prior Monachorum de Thetford	4 m.	32d.
Berclawe	100s.	5s.
Prior de Ykeworthe	3 $\frac{1}{2}$ m.	28d.
Schudecampes	16 m.	10s. 8d.
Wykham	18 m.	12s.
Quidam nomine prioris de Linton	6 m.	4s.
F ^{res} hospitalis de Neuport	3s.	1d. $\frac{3}{4}$
Horfeye	15 m.	10s.
Caumpes Magna	12 m.	8s.
Prior de Hatfeld reg.	8 m.	5s. 4d.
Prior de Hake in ec ^{ca} de Wykham	6 m.	4s.

Decanat' de Wilburham.

	Value	Viceffima
Stowe	12 m.	8s.
Prior de Bernw. in ead'	5 m.	4od.
Wilburham Parva	12 m.	3s.
Prior de Hatfeld	4os.	2s.
Wilburham Magna. Templar	30 m.	2os.
Abbas de Monte S ^{ti} Michaelis	4os.	2s.
Botekefiam	30 m.	2os.
Porcio abbis de Nuttele	6 m.	4s.
Canonici de Nuttele	7 m.	4s. 8d.
Prior de Longa Villa	10os.	5s.
Prior de Bernw.	2s.	1d. $\frac{1}{4}$
Prior de Tonebrig	5l.	5s.
Swapham Monial	20 m.	1 m.
Prior de Bernw.	15 s.	9d.
Swapham S ^{ti} Cyrici	20 m.	1 m.
Prior de Rumburgh in ead.	10s.	6d.
Swapham S ^{ta} Mariæ	12 m.	8s.
Prior de Ely	2 m.	16d.
Stevecheworde	20 m.	1 m.
Dullingham	20 m.	1 m.
Westle	10 m.	$\frac{1}{2}$ m.
Burg	10 m.	$\frac{1}{2}$ m.
Brinkele	10 m.	$\frac{1}{2}$ m.
Willingham	4 m.	32d.
Prior de Lewes in pensione	12d.	$\frac{1}{2}$ d. $\frac{1}{2}$ farthing.
Idem in ead.	2 m.	16d.
Carleton	5 m.	4od.
Prior de Lewes in ead'	4 m.	32d.
Idem Prior in Carleton et Willingham in templibz	3ql.	3os.
Westone	15 m.	1os.
Prior de Lewes in ead'	5 m.	4od.
Idem Prior in pensione	3od.	1d. $\frac{1}{2}$
Prior de Hatfield reg.	10s.	6d.
Wrattinge	20 m.	1 m.
Balefham	40 m.	2 m.
Wendene Magn. in Dioc' Lond'	12 m.	8s.

Pope Gregory taxed the Universal Church with a 15th for the subsidium terræ sanctæ, or aid towards a Crusade. In 1275¹, after the Council of Lyons, this was levied by Master Reymund de Nogeris and Frier John de Erlington, according to the true value. At which time the spirituals and temporals of the priory of Barnwell were taxed at 500 marcs per ann^o, the 10th of which was 50 marcs, and the whole 10th, for 6 years, 300 marcs; and yet this Pope died before three years.

¹ Chron. Tho. Wikes, p. 103.

N^o XVIII.

The Example of Abbot Stanesfield (see p. 51.), may be paralleled by a parish priest since the Reformation, whose Epitaph in Ubbeston Church in Suffolk, runs thus :

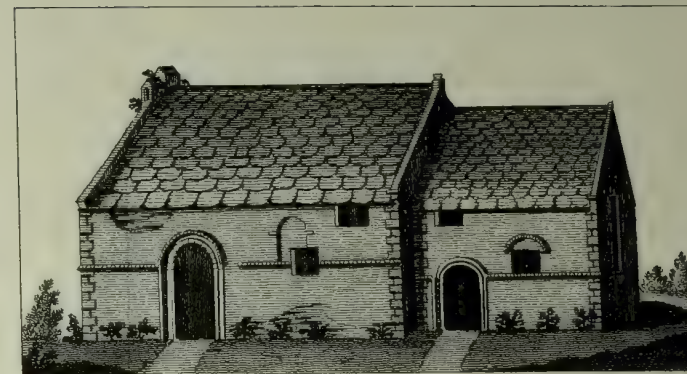
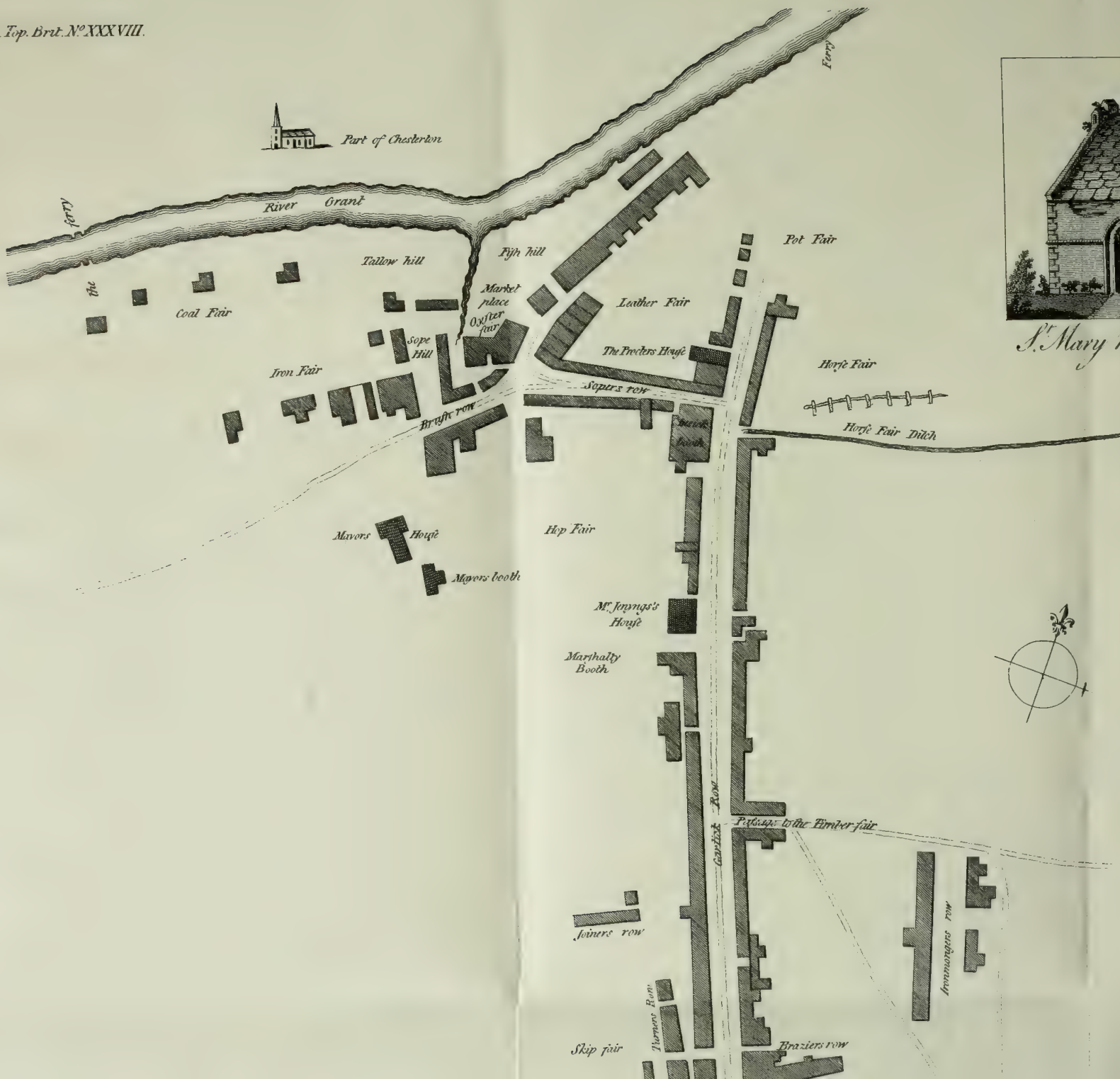
To the Memory of the
 Rev. Mr. GEORGE JONES, who was a minister of God's word in
 this place for 40 years (wanting but 5 months :)
 He was a diligent and faithful laborer in God's
 Vineyard, sparing no pains nor shrinking
 back at any difficulty, as appeared in this
 instance, that when he could neither go
 nor stand without help, he was then
 carried by two in his chair from
 his own door to his chariot, and likewise so to
 church, where again by two he was conducted
 to the desk, where he did read divine service,
 preach twice the same day, and
 perform the whole of the sacred functions,
 and this not for once or twice, but for many days,
 under great weakness and indisposition of body.
 He was eminently pious and very greatly
 learned, though it was much veiled by his
 modesty and humility, yet did shine through
 it, to the observation of those who were
 capable Judges.

Obiit, Jul. 15, 1704, æt. 75.

Mrs. Jane Jones his relict, Ap. 9, 1705, aged 74.

2 Sam. i. 23. Col. iii. 4.





St. Mary Magdalene's Chapel Stourbridge.

Plan
of
STOURBRIDGE FAIR
taken 1725.



Plan
of
STOURBRIDGE FAIR
taken 1725.



STURBRIDGE FAIR,

IS kept near half a mile east of Barnwell, on a spot antiently called *Sterefbrigg**, from the little river *Stere*, or *Sture*, that runs by it, and not, as Mr. Blomefield † says, from the toll paid for all young cattle or *steers* that passed over the bridge; for the name was prior to the hospital and chapel to which that toll was granted.

There have been many silly guesses made at the name and original of this fair to please the curiosity of the rusticks resorting to it, but scarce a sillier than that of Thomas Fuller, in his History of the University, p. 66, concerning the Clothier of Kendal.

But we find in the Certificatorium ‡ returned upon inquest to king Edward the First, that king John granted this fair for the benefit of the Hospital of Lepers § which stood there. “Ad

* Camden's Britannia in Cambridge; Layer's MS. History of Cambridgeshire.

† Collect. Cantab. p. 171.

‡ Ex rotulis Hundred. pro comitatu Cantab. in arce London. See Appendix, N^o 1. 8 Edw. I. Hospitale de Sturbridge vocatum domus Leproforum ibidem.—Dictum hospitale alienatum est infra 30 an. temp. Hen. III. Feria ad festum exaltationis crucis—concessa dict' hospit' in susten' per Joh' reg'. Hospitale de Steresburgh: est ibi hospitalarius ex collacōe epi Elien'. Nōia patronor' eccl' El' dioc', Capella de Steresbrigge valet x marc' non taxatur, 1402. Reg. Fordham, f. 137.

§ The council of Lateran had decreed, that lepers should have their own separate chapel, cemetery, and minister, whenever they were sufficiently numerous to afford it, without detriment to the antient churches. This was confirmed by Hubert archbishop of Canterbury in a council at London, A. D. 1200. He decreed, that they might be exempted from payment of tithes of their gardens, and *de nutrimentis animalium* raised for their food. V. Decretum Huberti epi Cant' in Concil. Joh. Spelman, Tom. II. p. 507.

“ dictum hospitale pertinet quædam feria ad festum exaltationis
 “ crucis quæ durat in vigilia sanctæ crucis ceu die sanctæ crucis
 “ sequente infra clausum cum pertinent. Ad dict. hospitale,
 “ quam quidam feriam dominus Johannes rex predecessor domini
 “ regis qui nunc est leprosis in dicto hospitali commorantibus
 “ ad eorum sustentationem concessit.”

This hospital for lepers was dedicated to St. Mary Magdalen, and was before 1245 in the disposal of the burgessees of Cambridge till about that year, when we find Hugh de Northwold bishop of Ely unjustly got the patronage of it*, which was enjoyed by his successors, who collated the master or warden till the suppression †.

In the certificatorium we are told, that the “ custos hospitalis
 “ tenet 24 acras terræ & dimid. in campo Cantabrigienfi ad sustinend. ibid. Leprosos sicut de jure debet & consuevit.” The townsmen there also, being the inquisitors, certify, that the advowson of this hospital was by right theirs; but that Hugh Norwold, bishop of Ely, had invaded their right in Henry the Third’s time, about 1245.

Leland, from the Liber Bernwellensis cœnobii, has “ Fratres de Sterebrige ubi nunc domus vetus eo loco ubi nunc
 “ pars fori lanarii, Angl. *the Duddery* §.”

In Edward the Third’s time there was a commission “ ad inquirend. de terris & libertatibus ad capell. de Steresbrigg pertinentent ||.” Which chapel, says Mr. Layer, I reckon, was the same that now remains, and is only used to lay lumber of the fair in, and instead of a tipling booth in the time of the fair.

* Appendix I.

† Tanner, Not. Mon. 48.

§ Collect. I. 444.

|| Hare’s Collect. vol. III. fol. 58. See Appendix II.

This chapel is still standing near the Paper-mills, and is used as a victualling-house in time of the fair, and their burying-place was near the place now called *Coldbams*, where 'tis supposed some houses formerly stood, from the antient bricks often there found.

14 Henry IV. the warden recovered from the bailiffs the stallage of things on the land called *Chapel-yard**; by which it should seem that even before the desecration of the chapel, its yard was occupied by the people of the fair.

Fordham bishop of Ely granted 40 days indulgence, 1390, to all who assisted in the repairs of this chapel.

The following institutions to this chapel are taken from the bishop of Ely's registers †.

In 1391 *Robert Takell*, then custos, died, and bishop Fordham collated *John Metfeld*, LL. B. and in 1390 that bishop granted an indulgence of 40 days pardon to all who extended their charitable benevolence to this hospital.

Metfeld resigned it to *Robert Flatte*; and he, 1391, exchanged it for Waldenewton in Winchester diocese, with *Thomas de Pattlesle*; who resigned it the same year; and Metfeld had it again; and after resigned it to *John Winkeperie*; who, in 1395, resigned; and Metfeld had it a third time, and resigned it to Flatte in 1402; and in 1403 Metfeld had it once more on Flatte's resignation; and in 1407 exchanged it again with *William Wynwegb* for the custody of the free chapel of St. Radegund in the Arches under St. Paul's, London. He exchanged it with *William Waltham*; who resigned it, 1408, to Metfeld again.

In 1412 *John Arundel* was custos; and at the dissolution *Christopher Fulvebye*, who was living 1553, and received a yearly pension of £60. out of the revenues, which was reserved to him for life.

* Reg. Fordham epi Eliens. fol. 228. cited by Tanner ubi sup.

† See Appendix III.

This chapel is in the bounds of the parish of Barnwell. The profits of the hospital were first leased 1497 for 99 years to the corporation of Cambridge; and in 1545 they obtained another lease for 60 years of Henry VIII.; but in 1605, 4 James I. they were granted by James I. to John Shelbury and Philip Chewte, gentlemen*.

Arundel bishop of Ely changed the day of the dedication of Trinity Church, Cambridge, to the ninth of October, because the business of this fair interfered with it†.

The original charter for this fair does not appear.

From a charter granted 30 Henry VIII. it appears that the magistrates and corporation of Cambridge obtained a fresh grant of this fair, in consideration of 1000 marks by them paid to the king, who resumed the former grant. See Appendix V. This charter was confirmed by Elizabeth, a. r. 32. In it are specified the different quarters of the fair assigned to the several trades and dealers from the plan. See Appendix VI.

In a controversy between the prior and convent of Barnwell, and the mayor, burgesſes, and commonalty of Cambridge, concerning Sturbridge Fair, &c. and the matters in difference being referred to an award, it was ordered, among other things, the 20th of Aug. 8 Henry VIII.

That, the mayor, burgesſes, &c. for evermore, ſhall have, hold, and injoye, keep and maintain the fair, called Sturbridge Fair, as well within the ſaid town of Barnewell, &c. as in all other lands and fields of the ſaid prior and convent, lying on the eaſt between the ſaid monastery and town of Barnewell, and a bridge called Sturbridge, from the feaſt of St. Bartholomew unto the feaſt of St. Michael in September; and that they and their farmers might, without let or moleſtation of the ſaid prior and

* Blomefield, Coll. Cantab. p. 171, 172.

† See Appendix IV.

convent,

convent, build stalls, shops, &c. the mayor, &c. throwing down all banks, chimneys, &c. within four days after Michaelmas, and provided, that all such farmers of any house or shop letten by the prior and convent should pay but one shilling by the year to the mayor, &c. for his and their house and shop.

Queen Eliz. 31 regni sui, granted to the mayor and commonalty of Cambridge, Sturbridge Fair, and the power of building and disposing of booths in the same, as is there mentioned *.

The proclamation † is to be in Vigilia Nativ. B. Virginis, and to be finished before 11 o'clock "ante horam undecimam terminetur." The vigil of the Nativity of the Blessed Virgin is the 7th of September, on which queen Elizabeth was born, which probably was the reason of her fixing it to that day, it being originally on the vigil of Holy Rood Day ‡.

The vice chancellor § has the same power in this fair that he has in the town of Cambridge in all respects. See Hare, vol. II. p. 135; Black Book, p. 81. See also the Proctor's Book, Hare, vol. I. p. 97. 7 Ric. II. The fair is to be proclaimed by the vice-chancellor and mayor, and they are to proclaim first "alternis vicibus annuatim." The vice-chancellor went first in the 31st of queen Eliz. Anno 1589. The odd year is always his.

His power over the weights and measures was granted by writ 7 Henry V. See Appendix VII. And during a dispute between the university and the city of London, 7 Henry V. this power, with that of keeping the peace, was lodged in the sheriff. Appendix VIII. and IX.

The heads of the university's privileges may be seen in Appendix X. The publick beam for weighing of hops was reco-

* From a MS. belonging to Dr. Farmer.

† Black Book, p. 83.

‡ Dr. Richardson's MSS.

§ Queen Elizabeth's Letters Patent in the 31st year of her reign.

vered to the university 12 Charles II.; having been, during the civil war, usurped by the Corporation. See Appendix XI.

The university is always to have ground assigned for a booth by the mayor on Bartholomew's Day. See the Queen's Letters Patent *ubi supra* *.

1525, Robert Braffie, born at Bunburie in Cheshire, vicar of Prescott, doctor of divinitie, elected the 13th provost the 3d of October, 1556, and so remained two yeares, who being vice-chancellor, 1558, was much commended for his wisdom in withstanding the heads and masters of colleges in this universitie; when, as they had all, except him, consented and concluded to sell all their wrightes and jurisdictions in Sturbridge Faire, to the mayor, bayliffes, and burgeses of the towne of Cambridge. He protested openly against the pope's visitors in queen Marie's dayes †.

For the rent of certain shops and booths here granted to the mayor and burgeses by Philip and Mary, See Appendix XI.

The tolls payable at the fair may be seen in Appendix XII.

By order of Rich. II. the sheriff was to apprehend all persons who broke the peace in Barnwell fair, whether scholars or townsmen. Appendix XIII.

The curate of St. Andrew's the Less, commonly called Barnwell, is also the Sturbridge Fair preacher, of which hereafter.

But A. D. 1710, a dispute arising between the corporation of Cambridge, and the patron of Barnwell, concerning the right of appointing a Sturbridge-Fair preacher, caused the two following Advertisements to be published :

“ September the 11th, 1710.

*“ WHEREAS Mr. Mayor of Cambridge has actually this year,
“ contrary to law, ancient usage and custom, set up an unlicensed
“ preacher at Sturbridge Fair, in opposition to the present patron*

* Black Book, p. 85.

† From Hatcher's List of Provosts, Fellows, and Scholars, of King's College, &c.

“and minister of Barnwell, who claim the right of preaching there by immemorial prescription :

“ We, the patron and minister thereof, do hereby make it known, in vindication of our own just rights, and those of the future patrons and ministers of the said parish, That we shall deem the person or persons, who have, or shall presume, in opposition to us, to preach within the said parish-bounds, to be intruders upon our privilege ; and that we will use all lawful means to assert and maintain our title against all such usurpers and their abettors.”

“ *Cambr. September 10th, 1711.*

“ WHEREAS 'tis the resolution of the corporation of Cambridge, against the present incumbent of Barnwell, to set up a preacher in Sturbridge Fair ; being led thereinto, by artificially persuading some of his predecessors into an illegal note, against the patron, his clerks and successors in the said living : And Sturbridge Fair being in the parish of Little St. Andrew's Barnwell, and the ministers thereof have (when right and law prevailed) time out of mind, without any disturbance (the said corporation of Cambridge finding alwaies a pulpit) performed the service of the two Lord's-days during the said fair, with their congregation, service-books, vestments, pulpit-ornaments, and parish-clark, in gratitude for the collection that hath been there alwaies made, for the better support of themselves under their small parochial income, till the last year 1710 ; for which intrusion, then, the unwary usurper was censured in the Bishop's ecclesiastical court : These do humbly give notice to the gentlemen of the fair, that the pulpit not being allowed this year as usual, and it not being known soon enough to provide one, the service of the next Lord's day, during this

“ present

“ present fair, will be performed in the parish-church, morning
 “ and evening, by the minister of Barnwell.

“ WILL. PIERS.”

Sturbridge Fair is set out annually on St. Bartholomew's day by the mayor, aldermen, and the rest of the corporation of Cambridge, who all ride thither in a grand procession, with music playing before them, and most of the boys in town on horseback after them, who, as soon as the ceremony is read over, ride races about the place, when, returning to Cambridge, each boy has a cake and some ale at the town-hall; but we believe that old custom is now laid aside. On the seventh of September they ride in the same manner to proclaim it; which being done, the fair begins, and continues three weeks, though the greatest part is over in a fortnight.

This fair, which was thought some years ago to be the greatest in Europe, is kept in a corn field about half a mile square, having the river *Cam* running on the north side thereof, and the rivulet called the *Stour* (from which, and the bridge over it, the fair received its name) on the east side; and it is about two miles east of Cambridge market-place, where, during the fair, coaches, chaises, and chariots, attend to carry persons to the fair. The chief diversions at Sturbridge are drolls, rope-dancing, and sometimes a music-booth; but there is an act of parliament which prohibits the acting of plays within ten miles of Cambridge.

If the field on which the fair is kept is not cleared of the corn by the twenty-fourth of August, the builders may trample it under foot to build their booths; and on the other hand, if the same be not cleared of the booths and materials belonging thereto, by Michaelmas-day at noon, the plowmen may enter the same with their horses, plows, and carts, and destroy whatever they find on the premises; as for the filth, dung, straw, &c. left be-

hind by the fair-keepers, make them amends for their trampling and hardening the ground.

The shops or booths are built in rows like streets, having each their name, as Garlick-Row, Bookfellers-Row, Cook-Row, &c. And every commodity has its proper place, as the Cheese-fair, Hop-fair, Wool-fair, &c. And here, as in several other streets or rows, are all sorts of traders, who sell by wholesale or retail, as goldsmiths, toymen, brasiers, turners, milliners, haberdashers, hatters, mercers, drapers, pewterers, China-warehouses, and, in a word, most trades that can be found in London; from whence many of them come: here are also taverns, coffee-houses, and eating-houses in great plenty, and all kept in booths, except six or seven brick houses built many years ago, and in any of which (except the coffee-house booth) you may at any time be accommodated with hot or cold roast goose, roast or boiled pork, &c.

Crossing the main road, at the south end of Garlick-Row, and a little to the left hand, is a great square, formed of the largest booths, called the *Duddery*, the area of which square is from 240 to 300 feet, chiefly taken up with woollen-draper, wholesale taylors and fellers of second-hand clothes, &c. where the dealers have a room before their booths to take down and open their packs, and to bring in waggons to load and unload the same. In the centre of this square was (till within these three years) erected a tall maypole, with a vane at the top; and in this square, on the two chief Sundays during the fair, both forenoon and afternoon, divine service is read, and a sermon preached from a pulpit placed in the open air, by the minister of Barnwell, as aforesaid, who is very well paid for the same, by the contribution of the fair-keepers.

In this duddery only, it is said, there have been sold 100,000 l. worth of woollen manufactures in less than a week's time; besides the prodigious trade carried on here by the wholesale taylors

K k

from

from London, and most other parts of England; who transact their business wholly in their pocket books, and meeting here their chapmen from all parts, make up their accounts, receive money chiefly in bills, and take further orders. These, they say, exceed by far the sale of goods actually brought to the fair, and delivered in kind; it being frequent for the London wholesale-men to carry back orders from their dealers for 10,000*l.* worth of goods a man, and some much more. And once in this duddery, it is said, there was a booth, consisting of six apartments, all belonging to a dealer in Norwich stuffs only, who had there above 20,000*l.* worth of those goods.

The trade for wool, hops, and leather, here is prodigious; the quantity of wool only sold at one fair is said to have amounted to 50 or 60,000*l.* and of hops very little less.

September 14, being the horse-fair day, is the day of the greatest hurry, when it is almost incredible to conceive what number of people there are, and the quantity of victuals that day consumed by them.

During the fair, Colchester oysters, and white herrings just coming into season, are in great request, at least by such as live in the inland parts of the kingdom; where they are seldom to be had fresh, especially the latter.

The fair is like a well-governed city, and less disorder and confusion to be seen there than in any other place where there is so great a concourse of people. Here is a court of justice always open from morning till night, where the mayor of Cambridge, or his deputy, sits as judge; determining all controversies in matters arising from the business of the fair, and seeing the peace thereof be kept; for which purpose he hath eight servants, called Red-coats, attending him during the time of the fair and other public occasions; one or other of which are constantly at hand in most parts of the fair: and if any dispute arise between buyer and
seller,

feller, &c. on calling out *Red-coat*, you have instantly one or more come running to you; and if the dispute is not quickly decided, the offender is carried to the said court, where the case is determined in a summary way (as is practised in those called Pye-Powder courts in other fairs), from which sentence there lies no appeal.

About two or three days after the horse-fair-day, when the hurry of the wholesale business is over, the country gentry, for about ten or twelve miles round, begin to come in, with their sons and daughters; and though diversion is what chiefly brings them, yet it is not a little money they lay out among the tradesmen, toyshops, &c. besides what is flung away to see the puppet-shows, drolls, rope-dancing, wild beasts, &c. of which there is commonly plenty.

The last observation we shall make concerning this fair, is, how inconveniently a multitude of people are lodged there who keep it; their bed (if we may so call it) is laid on two or three boards, nailed to four pieces that bear it about a foot from the ground, and four boards round it, to keep the persons and their cloaths from falling off; and is about five feet long; standing abroad all day if it rains not; at night it is taken into their booths, and put into the best manner they can; at bed-time they get into it, and lie neck and heels together till the morning, if the wind and rain do not force them out sooner; for a high wind often blows down their booths, as it did in the year 1741; and a heavy rain forces through the hair-cloths that cover it.

Though the corporation of Cambridge has the tolls of this fair, and the government as aforesaid, yet the body of the university has the oversight of the weights and measures thereof, (as well as at Midsummer and Rech fair) and the licensing of all shew-booths, wild beasts, &c. And the proctors of the university keep a court there also, to hear complaints about weights or measures, seek out and punish lewd women, and see that the gownsmen commit no disorders *.

* Carter's History of Cambridgehire, p. 21—27.

The Cry of Sturbridge Fair, copied from Benet College Library MS. CVI. N° 31. the passages in books from Baker's MSS. in the University Library, Vol. XLI. p. 142.

1. WE charge and straightlie command, in the name of our soveraigne Lady Marye, by the grace of God queene of Englande, France, and Irelande, defendour of the fayth, and of the church of Englande, and also of Irelande, on earth the supreme head, and in the name of the ryght honourable lorde the byshoppe of Winchester, and lord chancellor of the universitie of Cambridge, that all manner of scholers, scholers' servants, and all other persons within this faire, and the precincte of the same, kepe the queene's peace, and make noe fray, cry out as shreking, or any other noyse, by which insurrections, conventicles, or gatheringe of people may be made in this faire, to the troble, vexinge, or disquietinge of the queene's liege people, or lettinge of the officers of the universitie to execute their offices, under the payne of imprisonment, and further punishment, as the offence shall require.

2. [Alsoe we charge and command, that all manner of scholers, schollers' servants, weare noe weapons to make any fray upon any of the kinge's people, neither in comeinge nor goeing from the faire, under paine of banishment.]

3. [Alsoe we charge and command, that all manner of strangers that come to this universitie, or the precinct of the same, to these faires, to leave his weapons at their innes, that the kinge's peace may be the better kept, and for the occasion enfueinge on the same, under the paine of forfeitinge the weapons, and further punishment, as the offence shall require. And that innkeepers comeinge in to have their weapons in the inns, under paine of punishment.]

4. Alsoe we charge and command, that all common woomen and misbehaved people avoide and withdrawe them out of this faire, and the precincte of the same, immediatelie after the crye,

that the queene's subjects may be the more quiet, and good rule the better maintained under the paine of imprisonment.

5. Also we charge and command, that all manner of bakers that bake to selle bake their loves for one peny, and foure for another, of good paste, well boulded, and lawful fise, after as the graine goes in the markette. And that the baker have a marke upon everye kinde of his bread, wherebye yt may be knowne whoe did bake yt, under paine of forfeiture of his bread.

6. Alsoe that all bakers shall observe and kepe such fise of all breade as shall be given them by the officers of the universitie, under the paine of forfeitinge their bread; and yf it happen to any baker that he be found againe fawtie [in any article pertaineinge to our lawfull bread, according to the queene's law, that then such baker,] after three monitions, shall be imprissoned and punished in the pillorye, accordinge to the lawes of our soveraigne lady the queene.

7. Alsoe, everye baker that baketh horse-breade to sell, that he sell three loves for a peny, after good and lawful fise, as shall be given him by the universitie, and that it be made of good pease and beanes, and other lawfull stufte, and have a marke upon it under paine aforesaid.

8. Alsoe all browne bakers, as well inholders as others, observe and kepe such fise of horse-breade as shall be given them by the said officers, under the panes and punishments as of other bakers is reherfed.

9. Alsoe, that noe bruer sell into this faire, ne any where within the precincte of the same, a barrell of good ale above [two shillings and two pence], nor a barrell of hostle ale above [one shilling,] no red ale, nor ropye ale, no longe ale, but good and wholesome for man's bodye, under the paine of forfeiture; and that every brewer have a marke upon his barrell, whereby it
may

may be knowen whose it is, under the paine of imprisonment and fine, at the discretion of the officers of the universitie.

10. Alfoe, that every barrel of good ale houlde and containe 16 gallons, [13 or] 15 gallons of clere ale, and one gallon for the yest, and the hogshed 8 gallons; that is to say, 7 gallons and a pottel of clere ale, and the residue for the yest, under the paine of forfeiture, and further punishment after the discretion of the officers of the universitie.

11. Alfoe we command, that the beare-bruer sell a kilderkin of double beare into this faire [for two shillings and two-pence], and a kilderkin of single beare [for one shilling]; and if any bruer, either of ale or bere, be found fawtie in any of the premisses, after that he hath been three tymes amerced, that then the faide bruer shall be committed to prison, there to remaine untill he have made fyne with the officers of the universitie.

12. Alfoe, that noe typler sell into this faire, nor within the precinct of the same, a gallon of good ale above [four pence,] nor a gallon of hostle ale [above two-pence;] nor the beare sellers a gallon of double beare above [four-pence;] nor a gallon of single beare above [two-pence,] under the paine of XII pence for every tyme.

13. Alfoe, that no typler, ne gawger, sell by other measure than by gallon, pottell, quarte, pinte, on paine of XII pence for every tyme.

14. Alfoe, where great hurts, detriments, and deception hath bene to the quene's subjects in tyme past, by the reason of false and unlawfull measures broughte by potters and other persons to be sould and bought in this faire, and the precincte of the same, in avoidinge thereof the said hurt and untrue measures, we straightlie command and charge, that every potter, and all such persons as bringe such potts to be sould in this faire, or the precincte of the same that they from henceforth sell and bye from

from good and lawful measure, as is aforesaid [gallons, pottles, quarts, pints, and halfe pints], under paine of imprisonment, and there to remaine untill they have made a fine with the officers of the universitie.

15. Alsoe, that every tipler and gawger that selleth ale or beere in this faire, that they have their measures well and lawfully sized and sealed, accordinge to the Quene's maiesties' standard of the universitie; and also that every brewer, that hath ale or beare to sell, have a signe at his booth [doore], whereby they may be better knowne, under the paine of punishment.

16. Alsoe, that every one that hath wyne to sell in this fayre, [as white, redd, clarett, gascoyne, malmfye, or any other wine they] shall sell [no dearer than they doe at London, except one halfe-penny in a gallon towards carriage; and that every vintner have potts, their measures sized and sealed, after the standard of the universitie, under the paine of forfeiture, and their bodies to prison] according to the act of parliament thereupon made, except his lawfull allowance reasonable to be made by the officers of the universitie for the carriage, under the paine in the said acte comprised.

For the Fish Fayre.

1. Alsoe, that all persons that bring [linge-fish, stoc-fish, or] any kinde of salt-fish, to be soulded in this faire [or in the precinct of the same], that they sell noe rotten fyshe, nor brente fyshe, nor restie fyshe, but good, lawful, and holsom for man's body, under the paine of forfeiture [of the fish, and of their bodies to prison].

2. Alsoe, [that] all [manner of] persons that have salmon, herrings, eeles, to sell in this faire, that the vessels called butts, barrells, haulfe barrells, and firkins, [that they sell none of them before they] be sene and searched before they be put to sale;
and

and that the butt houlde lxxxiiii gallons well and trulie packed by ytselſe, upon payne for every butt, barrell, and haulfe barrell, ſoe lackinge their ſaid meaſure, ſix ſhillings and eight-pence; and that the great ſalmon be well and truly packte by ytselſe without grill, or broken belied ſalmon with the ſame; and that all ſmall fyſhe, called grill, be packte by themſelſe onelye, without medlinge, upon payne of forfeiture, and loſing ſix ſhillings and eight pence for every butt, barrell, and halfe barrell, ſoe found ſawtie, or contrary to the ſtatute of parliament, in the which ſtatute theſe points and other mo be more plainlye expreſſed.

[3. Alſoe we command, in the kinge's name, and the chancellor of this univerſitie, that noe man doe attempt or intermeddle in the office of the gongershipp, but ſuch as ſhall be appointed by the officers of the univerſitie; alſoe that every pike-monger that bringeth fiſh to ſell in this faire, as pike, tench, roach, pearch, eele, or any other freſh fiſh; and that the fiſh be quick and live like, and of ſize and bigneſſ according to the ſtatute thereof made, under the forfeiture, and their bodies to priſon.]

Alſo that everye pikemonger that bringeth freſſhe fyſhe to ſell in this fayre, as pike, tenche, roche, perche, ele, or any other freſhe fyſſhe, that the fyſſhe be quicke and liviſhe, and of ſiſe and bigneſſs accordinge to the ſtatute thereof made, under the paine of forfeiture.

Alſo that noe butcher ſell any of the tallowe of ſuche beaſts as he ſhall kyll to ſell in this faire, or the precincte of the ſame, to any but to ſuche craftemen and tallowe-chandelers as are dwellers within the ſaide univerſitie, and the precincte of the ſame, and they for to make the ſaid tallow in good and lawful candles, ſo that the ſaide univerſitie and towne of Cambridge, nor other the quene's ſubjects, be in any wiſe diſappointed, but the better ſerved, and that they ſell not a pound of candles above iid. nor

nor the bocher a stone of tallow above xvi*d*. under the paine of imprisonment.

4. Alfoe, that every butcher that hath flesh to felle in this faire, that he bringe no rotten fleshe nor murraine, but good and houlsome for man's body; and that every butcher bringe with him the hide and tallow of all such fleshe as he shall kyll [to sell] in this faire, and the precincte of the same; [and that every one bringe with him the liver and lunges of all such beasts] under the paine of forfeiture.

5. Alfoe, that every person that selleth by measure, as by ell or yard, wollen clothe, or linen clothe, worsted, or filke, that he have his sised and insealed, after the standarde of the universitie, under payne of forfeiture, and their bodies to prison.

6. Also every person that selleth by measure, as by bushell, halfe bushell, pecke, [or haulfe pecke,] cole, salte, mustarde seede, or any other things; that their bushels, haulfe bushels, pecks, be sised and insealed after the standarde of the universitie, under the payne of imprisonment, [and further as it shall please the officers of the universitie.]

7. Alfoe, that all persons that sell by weight have good and lawfull weights, sised and insealed, and to agre with the standarde weight of the universitie, under the payne of imprisonment, and further fine, as it shall please the officers of the universitie.

8. Alfoe, that no man shall regrate any of the thinges, [as ling fish, salt fish, herringes, salmon, pikes, tench, waxe, flaxe, rosin, pitch, tarr, cloath, nor any thinge of grocer ware, or any other merchandize in the faire, under the paine of forfeiture, and their bodies to prison, and to make fyne as it shall please the officers of the universitie; and he regrateth that buyeth any of the said thinges afore reherfed, or any manner of merchandize of any man in this fayre, and selleth again the same

things in the said fayre, and inhanfinge the price of the said things more then it was before.

9. Also, if there be any person that will serve any personall action, either for debt, victualls, injurie, or trespass, or thinke themselves wronged in any of the said premisses, or otherwise, let him complaine to my lord chancellor's commifforye, or other officers of the universitie, which shall hold and keepe courts dayly and howerly in this fayre dureinge the same, to the intent that they shall be heard with lawful favour, right, and conscience, and after the libertes of the same.

God save the Kinge.

From an ancient MS. belonging to Dr. Farmer.

Divers Orders concerninge the Boothes in Sturbridge Fair.

Eliz. Regina. Anno Martij 25to.

FORASMUCH as some question hath bene made of the manner of tenure of bootes in Sturbridge Fayer, some houlding one opinion, and some another, everie man speakinge his fantasie therein, affirminge his owne opinion to be the true custome, and that it oughte to stande for truethe; for that it hath not bene generally knowne to all men whether any custome hath remaigned written in any records of this towne concerninge the same fayre, yea or no.

Commandment thereof hath been given to the towne clerke, that the records of the saide towne shoulde be searched, whiche beinge done, it is founde in the oulde and auncient record, called the Crosse Booke of the sayde Towne, that remaineth there written; the custome without date; which beinge reade to the whole howse, question was asked, whether any man doeth knowe any
other

other custome then that, and also whether any free burgeſſe of this towne doeth houlde his booethes in any other manner or fourme, or by any other custome then is here extant and prescribed: whereunto it was answered by one whole voice, that that writinge which is written in the saide Croſſe Booke, bearinge no date, is the verie true custome used in the said towne concerninge Sturbridge fayer, and the booethes in the same, and that every burgeſſe of this towne havinge any booth or boothe, in the said fayer, doeth houlde and enjoye the same boothe by vertue and force of the same custome; and therefore this day and yeare, by common consente of the whole commonalty, the same custome is adjudged the onely good, true, whole, sounde, perfect, and inviolable custome observed, and to be observed, as used tyme out of minde, so to continue.

It is ordeined, enacted, established and ordered, accorded and agreed, by the whole assent and consent aforesaid, that no free burgeſſe or burgeſſes of this towne, whiche hereafter shall keepe, houlde, have and enjoye, any booth or boothe, ground or groundes, within the saide fayer, called Sturbridge, or the precincts thereof, by anie coloure or title, be it by inheritance, succession, alienation, gifte, or sale, or otherwise, whatsoever it be, shall not be taken, accompted, nor adjudged to be in lawfull possession of his or their said booth or boothe, ground or groundes, before he or they shall come to the Guilde-hall of the saide towne, at a common daie, or court-daie there houlden: and then, in the presence of the maior for the time beinge, one alderman assistant to him specially named, and the bailiffs of the said towne, and there receive and take deliverye of seisen; and so admitted of and in every of the said booth or boothe, ground or groundes, accordinge to the olde usage of the saide towne; and then to pay for every suche booth or boothe, ground

grounde or groundes, so to be recorded and registred into the said book, &c. That is to say, to the maior for the time beinge iiid. ; to the towne-boxe, for the use of the towne, iiid. ; to the towne-clarke for wrightinge and registringe the same iiid. ; and also to the serjeante of the warde where the boeth doth lie iid. for every boethe. † After all which thinges done, and duties before rehearsed paid, the saide burgesse hath adjudged to be in full and lawfull possession of all and singular the said boothe or bootes, ground or groundes, accordinge to the lawes, statuts, ordinances, and customes of the towne, as here before hath bene used tyme out of minde, and not before.

Item, it is ordeined, established, enacted, accorded, and agreed, that after possession lawfully taken, by any burgesse or burgessees, of and in any boothe or bootes, grounde or groundes, within the saide fayer, in manner and fourme before mentioned, then yt shall be lawful to any suche burgesse and owner of boothe or bootes, grounde or groundes, within the saide fayer, to alienate, bargain, sell, exchange, or put away his saide boothe or bootes, grounde or groundes, or any of them, at anye tyme, duringe his lyfe, at his will and pleasure, to anie other free burges of the saide towne, hee makinge surrender, delivering state, and recordinge the same in the register booke aforesaid, as before hath bene used ; and after the same maner and fourme as it is before expresse, any acte, ordinance, clause, sentence, use, or custome seminge to the contrary notwithstandinge.

Item, it is further enacted, ordeined, accorded and agreed, by the whole assent and consent aforesaide, that every burgesse of the saide towne, which nowe bee, and hereafter shall bee, lawfully possessed, and in any boothe or bootes, grounde or groundes, in the saide fayer of Sturbridge, in maner as before rehearsed, shall and maye, by his last will and testament, geve
and

and bequeathe all and everie of his faide boothe or boothes, grounde or groundes, to any other person or persons, as liberally and freely as he myghte geve or bequeathe any other lands, tenements, or moveable goodes that he hathe; so that he or they to whome such gifte or legacie shal be made concerninge any boothes or boothe grounde in the faide fayer, shall be free burgesse or burgessees of the faid towne, after such maner and fourme as before and hereafter is, and shal be declared for the maintenance and good continuance of this towne, and accordinge to the custome of the towne heretofore used.

And furthermore it is ordeined, accorded and agreed, that every suche burgesse, having boothes in his lawfull possession as before is exprest, shall and may, at his free will and liberty, by his last will and testament, will and bequeathe all and every of his faide boothe or boothes, grounde or groundes, to be sould, and the money thereof comminge to be employed for the preferment of his or their children, payment of his debts and legacies, and for fullfillinge his or their laste will or wills; and the said testator shall or maye nominate and appointe one free burgesse or more, at his pleasure, by his faide testamente or laste will, to make sale of his faide boothe or boothes, grounde or groundes accordingly. And for lacke of any suche specially appointed, it shal be lawful, by force and virtue of this ordinance, to the executor or executors of any suche burgesse so willinge his boothe or boothes, grounde or groundes to be sould, to make sale of the same boothe or boothes, grounde or groundes, accordinge to the faide will and testament; and for the due performance of the same, and after sale so made, either by the person or persons to that appointed or else for default of such appointment, by the executors of the faide testator, so it be made to a burgesse or burgessees of the same towne. The same sale shall stande and
be

be as good and effectual, to all intents and purposes touching the due accomplishment of his or their saide will or wills, as yf the saide sale had bene made by the verie owner of the saide boothe or bootes, grounde or groundes in his lyfe tyme.

Item, it is ordeined, enacted, accorded, and agreed, by the whole assente and consente aforesaide, that after the saide sale made in maner and fourme aforesaide, he or they so makinge the sale accordinge to the will of the saide testator, shall come to the Guilde-hall in Cambridge, at the nexte common day, or court next followinge, there to be houlden, and there before the maior, one alderman, and bailiffs, as the custome is, shall acknowledge the saide sale so by him or them, according to the laste will of the saide testator. And then the partie who hath boughte, or shall bie, or purchase anie of the same boothe or bootes, grounde or groundes, being a free burgeffe, shal be admitted to the same, and have state, liverie and seizin delivered unto him or them there in the face of the court, before the maior, aldermen, and bailiffs, as it is before expresse; and shall paie for the recordinge, registringe, and admitinge to the same, for every boothe or grounde fifteen-pence to be divided in maner and fourme aforesaide; all which knowledge, surrenders, and state, delivered, had, and made, in maner and fourme before mentioned, shal be decreed, taken, and adjudged to be as good, sufficient, and lawful, concerninge the performance and accomplishment of the said will, and to all other intents and purposes, as though the sale of the said boothe or bootes, grounde or groundes, with the surrenders, state, and liverie of the same had bene done and made by the verie owner and testator by his lyfe tyme, and in his owne person, any acte, ordinance, clause, sentence, use, or custome to the contrarie notwithstandinge.

Item, it is further ordeined, accorded, and agreed, by the whole assente and consente aforefaide, that yf any burgeesse of the towne, being lawfully possessed of any boothe or boothes, grounde or groundes, within the said fayer, shall chance to dye intestate, as concerninge anie declaration or disposition of his said boothe or boothes, grounde or groundes, as is before expressed, that then, and in that case, it is ordeined and established, accorded and agreed, that the next heire or heires of every such burgeesse, beinge possessor, which is lawfully begotten, or knowne to be nexte heire or heires, shall have and enjoye everie of the saide boothe or boothes, grounde or groundes, in which his saide father or auncestor, so intestate, deceased, the third parte of all the saide boothes in such case indifferently to be allotted and sett out for the wyfe of the saide burgeesse onely excepted; which third parte shal be and remaine to the widdowe or wife of the saide burgeesse so deceased, duringe her lyfe, accordinge to the ordinance of this towne.

Anno Eliz. 31^o.

MEMORANDUM, That the xxvith daie of September, anno Eliz. by a common assente, the interest, righte, estate, title, and possession, of every possessor of boothe or boothes at Sturbridge-Fayer, kept by surrender or lease houlden of this towne, is confirmed and ratified, good and available to them and everie of them, accordinge to their severall tenures, in as ample and large maner as heretofore they have had and enjoyed the same by vertue of their severall surrenders and leases (anie forfeiture or cause of ceasinge, or determination of such interest or interests notwithstandinge) except always and reserved to the maior, bailiffs, and burgeesses of the saide towne of Cambridge, all suche
righte,

righte, tytle, and interest as they have, or of right ought to have, by the customes and ordinances of the saide towne, of, in, and to all those boothes and boothe groundes, which late were William Munfey's, one of the aldermen of the saide towne; and except also the interest of a lease graunted to Mr. Henry Clarke, till such tyme as he hath founde sureties for the performance of the covenants contained in his lease which he hath of the towne's boothes.

In Festo Bartholomei.

Anno Domini 1595.

MEMORANDUM, That this daye and yeare, by a common consente, it is agreed, that the order made February, Anno Regni Hen. Octavi 13°. concerninge enjoyers of boothes to dwell within the towne; and shewing in what tyme he shall sell them yf he go out of the towne, shall stand, remaine, and be in full force and effecte; and that no maior of the towne of Cambridge from henceforthe shall propounde any grace, or do any acte or actes, devise or devises whatsoever, to the breache or violating thereof; and that the maior of this towne, yearly to be chosen, on the daie of his election, or on the daye that he taketh his oathe against vintinge, shall make solemn oathe to the observation hereof.

SUPPLEMENT TO STURBRIDGE FAIR.

"JOHN METEFELD, 25 October, 1389, being then LL. B. was by bishop Fordham made master or custos of the free chapel or hospital of St. Mary Magdalen, of Sterebridge, which, however, he soon after quitted; for on 24 January, 1391, the bishop gave the same hospital to Thomas de Patesley; but on the 29th of the same month, J. Metefeld was collated to it again, and resigned it a second time; and was a third time collated to it, 8 February, 1395, and resigned it again 1402; on the last of December in which year the bishop presented him to the rectory of Tyrington, in the diocese of Norwich, calling him his cousin (*consanguineum nostrum*); in 1403, October 3, he was once more collated to the mastership of Sterebridge hospital, which he exchanged in 1407 for that of the free chapel of St. Radegund in the crypts of St. Paul's cathedral, London; and August 9, the same year, 1407, the bishop collated him to the rectory of Leverington, in the Isle of Ely; and 20 October following, he was finally and the fifth time admitted master of Sterebridge chapel. I have laid all these together, that the curious may observe what a deal of chopping and changing of preferment, and shifting from one place to another, was in use at that time. September 25, 1390, he was again collated by the bishop to the rectory of Pulham, in Norfolk; and 23 September, 1391, was ordained subdean in the bishop's chapel at Downham, and in the same chapel, priest, September 20, 1399, being of the diocese of Rochester. In 1407, he is called Licentiate in both laws; and August 8, 1404, he was chancellor to bishop Fordham. In 1407, the bishop being summoned to a convocation, appointed him one of his proxies there, on account of his ill state of health and many infirmities, in which year he was present at the vailing of Alice Thurgarton in the bishop's oratory at Downham, where she received the mantel and ring from the bishop, who, after high mass said by himself, administered to her the vow of chastity in this form of words:

"I Alice Thurgarton, avow perpetual chastity in the presence of you honourable
 "fadre in God Sir Johan bi Godes grace byfshop of Ely, and behote to lyve
 "stablish in this awow, and in witnesse thereof, I with myne owne honde make my
 "signe benethe."

In 1408, on July 23, a convocation was held at St. Paul's, to consider of the proper means towards settling the peace and unity of the church; to this meeting he was returned among some other learned men whom the bishop sent out of his diocese to that purpose. In 1410 he was archdeacon of Ely, and the next year I find him styled *Utriusque Juris Doctor.*" (MS. Cole.)

NUNDINÆ STURBRIGIENSES, ANNO 1702.

Authore T. HILL, e Coll. S. Trin. Soc.

EXPOSITAS latè Cami prope flumina merces
 Divitiasque loci, vicosque, hominumque labores,
 Sparsaque per virides passim magalia campos
 Atlantis dic magne nepos, quem candida fertur
 Cyllenes gelido peperisse in vertice Maja.
 Tu Deus ingenii, lucri tu diceris idem,
 Te matutinis precibus Mercator adorat
 Anxius, innumerasque recensens ordine gazas,
 Grande tibi Pario spondet de marmore signum.
 Si bonus annueris, multusque advenerit Emptor,
 Si pellis fures, nec quicquam furripis ipse.
 Ergo ades, & fidâ duc me per singula dextrâ.
 Est in conspectu Grantæ notissima famâ
 Urbs, opulenta olim, Papæ dum regna manebant,
 Et fervile jugum, Domus hic fundata vetustâ
 Relligione stetit, sanctæ tenuere sorores;
 Nostra ah! temporibus quantum mutantur ab illis.
 Nunc solùm tantæ fas est operosa videre
 Fundamenta domûs, & non sine laude ruinas;
 Sanctarum at remanent vestigia nulla sororum
 Incipit ex illo notos STURBRIGIA campos
 Ostentare procul, (vocis quænam hujus origo
 Quam patriam agnoscat, Britonasne, an Saxonas inter
 Nata sit, an Danos potius velit illa Parentes,
 Quærere distulimus, nec fas est omnia scire,)
 Quam simul aspicias, totam huc migrâsse putares
 Sedibus avulsam, quam lambit Thamesis urbem.
 At prius optati quam fisteris æquore campi
 Pauca docendus eris, paucis, adverte, docebo.
 Quisquis es, O igitur moneo, dum Sirius ardet
 Pulvereaque ciet tempestas plurima nubes,
 Si tantum paucos iterumque iterumque rogando,
 Extorquere asses potes a Custode severo,
 Ire pedes noli, longum est iter, & tibi Rhedam,
 Quâ vectere, bonam solidi pars quarta parabit.
 Non tamen hac ratione velim te scandere currum,
 Quâ Corydon nostram nuper qui missus in urbem
 Viderat haud unquam Rhedam, nisi quâ pater olim

Et foenum, cereremque domum portare solebat.
 Artificis miratur opus, fabricasque rotasque
 Axemque & quid non? sedet ergo, insuetaque vultu
 Gaudia testatur, nec jam tibi, Phœbe, caballos
 Invidet ille tuos, licet ipsum sæpe Magister
 Nafonis quondam legeret cum dulce poema.
 Multa Phlegonte super, super & Pyroente doceret.
 Interea est operæ pretium, nec parva voluptas
 Audire aurigas convicia mutua dantes;
 "Huc Domine, unus ait, bijugi mihi namque parati
 Expectant virgæ monitum, solertior alter
 Clamantis prævertit equos, & sede relicta
 Defluit in terram pernix, & talibus infit,
 Ostia dum pandit mollitque sedilia dextrâ.
 "Ne quæso, ne crede isti, mendacior alter
 Non est, nam quamvis se dixerit esse paratum,
 Ingrediare modo, fallet, cogetque sedere
 Invitum, nectetque moras pluresque manebit,
 Te contentus ego:—quid non facundia possit
 Ille quidem suavit, penitusque intraverat unus
 Pes currum, primoque in limine pendulus hæsi;
 Non tulit hoc alter, plenus sed defilit irâ
 Torva tuens, ceu sæpe canis, siquando voracem
 Dentibus infrendens albis, meditetur in hostem
 Horrida bella, velitque abreptam ulciscier escam.
 Pone venit tacitus, colaphumque impingit, at ille
 (Sensit enim) pariter respondet, & ictibus ictus
 Ingeminat, quanto proh! Divi utrinque fragore
 Insonuere, genæ, gemitumque dedere crepantes.
 Extemplo coeunt vulgus, studiisque repenti
 Scinduntur variis, partes, prout cuique libido est
 Accipiuntque suas, & dant solantia dicta,
 Dum favet Aurigæ huic alter, favet alter & illi.
 "Tolle caput, solidoque magis confide cerebro,"
 Dixerat hic; ast Adversarius, "Ilia subter
 Pugnosingere nunc, animamque huic excute solam.
 Talibus inter se monitis hortantur amicum
 Quisque suum, donec tandem civilis Enyo
 Bacchari cæpit jam longius; undique serpit
 Dira lues, pugnam ornat quisque; legitque virum vtr.
 Tum vero avulsos, auræ ludibria, crines
 Cernere erat, largosque cruoris currere rivos.
 Hic ego, nam nec me famâ labor Isthmius unquam
 Clarabit pugilem, nec sunt ea præmia cordi,
 Dum nesciret adhuc, cui det Victoria palmam,

Et dubiis nunc huc, nunc illuc tenderet alis;
 Pugnantes de me linquo, currumque propinquum
 Scando citus, camposque peto, celebresque Tabernas.
 Quò simul ac ventum est, nummo de more soluto
 Dimitto Automedonta meum, vicosque per omnes
 Erro vagus, quocunque pedes animusque ferebant.
 Et modo per densos saccorum ducor acervos
 Difficilis modo fit per olentes semita pisces.
 Nunc obstant carpenta viæ, nunc tardat euntem
 Turba frequens hominum, lassas modo verberat aures
 Raucus clamor anûs, vendentis poma nucesque;
 "Elige quæ mavis, sunt optima poma nucesque.
 Parte aliâ buccas inflatus turpiter ambas
 Stat Tubicen, populumque vocat mirac'laque pandit,
 "Hic Elephas, hic ille, inquit, Getulia qualem
 Non vidit, cujus conscendere nobile dorsum
 Si foret in vivis, optaverit Hannibal ipse."
 Denos ille homines, ingentia pondera, tergo
 Aure utrâque duos, totidemque proboscide gestat.
 Reginæ nomen si tantùm audiverit ANNÆ,
 Gaudet, & egregium placido ore fatetur amorem,
 At Turca, & Lodoix Turcâ crudelior iras
 Accendunt illi, furiataque pectora versant.
 Progressum ulteriùs, me parvula charta, legendam
 Festivus, quam præbet homuncio, sistit, at illa
 Spirantis miranda refert spectacula ceræ.
 Illic defuncti circum regale WILHELMI
 Stant comites bustum, dominumque queruntur ademptum
 At Tu, spectator, socias ne respue guttas
 Miscere, extremum meriti vestigal honoris.
 Parte aliâ ingreditur, plausuque excepta secundo
 Imperium Anna capit, soliumque ascendit avitum.
 Stat simul Eugenius, laurum cui bella recentem,
 Æternasque parat felix victoria laudes;
 At Puer Hispanus non horrida sustinet ora,
 Et quærit latebras, & currere velle videtur.
 Quò tamen usque inter pomæria sola vagamur?
 Actum nempe nihil, mediam nisi protinus urbem
 Visimus, inque ipsâ vestigia figo Suburrâ.
 Hic autem quocunque ingenti cernitur orbe
 Pulchra tibi præstant compendia, five Tabernas
 Diversas, hominum seu contemplabere mores.
 Qualis ubi pulsus procul æstas aurea nimbis
 Ridet, et ad notos, redolentia pabula, flores
 Hyblæas invitat apes, pars roseida circum

Prata volant, referuntque thymo turgentia crura.
 Condere pars latebras, pulchrisque liquentia mella
 Certatim stipare favis, opus acriter urget
 Quæque datum, resonant cellæque & cerea tecta.
 Haud secus exercent sese per compita vulgus
 Mercuriale, instant omnes, quò quemque parandi
 Dulce vocat studium, diversæque cura negoti.
 Tum merces culpæ emptor, laudare paratus
 Venditor, infidiasque alternaque retia tendunt.
 Cum lucro quodcunque potest mercari alter,
 Alter vendere avet, cautusque & providus audit,
 Si male prudentem quis fallere possit amicum.
 "Novi ego, dicebat quidam, (simul explicat omnes
 Quotquot habet, versatque manu, quamque ordine, merces)
 Quàm soleant omnes proprias res tollere, contra
 Deprimere alterius, sed sic mihi prospera cuncta
 Cedant, ut non his meliores mercibus usquam
 Invenies, cunctas quamvis scrutere tabernas.
 Nec sum ex illorum numero, qui plus semel hic se
 Haud conferre audent; mercatorque unius anni:
 Nam quoties hoc tempus adest, haud segniùs & nos
 Adsumus, ut jam non redeat constantior annus.
 Omnes ne nôrunt, decimus September habetur
 Ex quo me vidit vicinia tota morantem,
 Hac ipsâ statione, loqui sed plura volenti
 Nil equidem hæc adeo contra quod dicere possum
 Emptor respondet, "pretium sed displicet."—"Eja
 Siqua fides, ago tam tecum, quo, si pater esses,
 Tecum agerem pacto, fraterve" (nec ille profecto
 Mentitur, fratrem fraudare patremque paratus.)
 "Hæc aliis narra, sed nos non credimus; an tu
 Nil unquam me emissæ putas? Quid denique prodest,
 Quid sit mercatura quotannis, vendere merces
 Si pluris non Granta solet? Proinde accipe, si vis
 Quod dixi pretium. Possem modo, at hæcce minoris
 Auferet a me nemo, fores ego claudere certè
 Prætulerim, vacuæque domum migrare crumenâ,
 Ut libet, & valeas.—& Tu; vix protulit unum
 Ille pedem, vocat hic abeuntem, & talia fatur:
 "Dure nimis, cur ah! prohibes me viveres? verùm
 Quando ita vis, numera nummos, & quod petis aufer:
 Spero loci posthæc quod non eris immemor hujus,
 Quandocunque opus est, veniesque benignior olim.
 Scit cælum, scis ipse, licet non scire fateris,
 Quàm mihi nil ex hoc possit contingere lucri."
 His reliqua inter sese agitant commercia turba

Fraudibæ,

Fraudibus, e cunctis cognoscere sufficit unum.
 Jam vero despecte oculos, paulumque togata
 Turba vide quid agat, namque hic versantur, & ipsi
 Quorum pulvereo verruntur syrmate vici.
 Æris egens siquis (qualem persæpe fuisse
 Me non diffiteor, neque enim me inopem, miserumque
 Si fortuna tulit, vanum tulit atque superbum)
 Huc illuc errare, oculosque per omnia circum
 Ferre avidos amat, atque animum oblectare tuendo.
 (Ah miseras plantas, Dominus queis contigit Ipse)
 Nil agit infelix, nec, siquid sperat, habebit.
 Tantum inter densas, spectacula splendida, gazas
 Ambulat indefessus, ibi suspirat & eheu!
 Cur tantum arridetis? ait, vel cur ego pauper,
 Cum tantum arridetis? inanibus indulgere
 Nil refert votis, nec adest clamata pecunia.
 Obstant fata, malique ira implacabilis astri.
 Sunt quibus unum opus est ubi fervet plurima turba
 Crispatos ferro crines, myrrhæque madentes
 Ostentare, satis nempe hi fecisse videntur
 Si placeant vulgo, nymphæque morentur ocellos.
 Est quoque quem præceps juvat alea, cernere talos
 Currentes gaudet, sonitumque audire fritilli.
 Heu fuge damnosos jactus, fuge cautus avara
 Tecta procul, nam ni flavi tibi virga metalli
 Pullulet, auratæque fluat Pactolus in arcæ,
 Heu frustra amissos flebis cum tempore nummos.
 Ille igitur solus vellem huc descendat, abundè
 Æris cui, cerebrique parum est, cui crassa Minerva
 Blanditur, sortemque jubet sperare faventem.
 Huic etenim infanti quondam charissima mater
 Pingue caput mulcens, "Maeste, O mi Parvule, dixit,
 Maeste puer, nam si quod anus, si quod sacra veri
 Vox habeat, multos non illaudata per annos,
 Fortunatus eris.———

E regione domus trabibus contexta salignis
 Cernitur, ignaves sedes, lassisque viarum
 Opportuna satis, spatiosas possidet ædes
 Graius homo, ut perhibent, quocum certare, nec audet
 Pindarus hic noster, sordetque Batesius Ipse.
 (Dorothea una novo rivali cedere nescit:
 Dorothea, ingenio pollens, & mille placendi
 Artibus, & cuncti gnara & studiosa palati.)
 Non illo quisquam Teæ præstantius usum
 Novit, jucundamve valet miscere Cocoam.
 Hanc angusta obstat si res majoribus ausis

Ne dubites intrare casam, tibi scilicet auro
 Non opus est ullo, nec copia quæritur illic,
 Sed bene securum reddent te quatuor asses.
 Hos modo fer tecum, te non felicior alter
 Tecta subit, nulli plures solvuntur honores.
 Omnibus unus honos, & sedes omnibus una,
 Pallentes Orcus non accipit æquior Umbras.
 Hic quodcunque novum Autoniis molitur in oris
 EUGENIUS, legitur, miseros seu fallere Gallos
 Fraude velit, bello seu credere malit aperto.
 (Seu virtus sit, sive dolus, mirandus utroque)
 Victrices! en cerno aquilas, atque omnia lætus
 Accipio, haud illæ frustra per nubila pennas
 Exercent, solum assuetæ portare Tonantem.
 Sed neque quid nostræ valeant, adire Phalanges
 Te pigeat, sunt & nobis pugnare parata
 Pectora, difficilemque haud averfantia Martem.
 Quid non CHURCHILLI dextrâ sperare licebit,
 Auspiciisque ANNÆ; Gallorum Flandria strage.
 Creffiacique iterum spumabunt sanguine campi.
 Ite alacres igitur, quæcunque in prælia fortes
 Ite animæ, superi pro vobis arma capeffunt
 Omnes, inque ipsum sua stant perjuria Gallum.
 Forte quid ORMONDUS faciat, quâ classis arenâ
 (Illa catenati classis regina profundi)
 Vela legat sinuosa, & opimas terreat oras
 Pagina narrabit verax; sed ne tamen illi
 Tu pius interea felicem parce vovere
 In patriam reditum, & partam sine sanguine laurum.
 Compeditibus duris inimicas vinciat auras
 Æolus, & tutæ pateant remeantibus undæ.
 O si quod vellem possem quoque, me neque vates,
 Andinus caneret melius, nec cederet Heros
 Heroi Iliaco, bello & pietate Britannus.
 Justior has quanquam partes, famamque Patroni
 Arriperet RHEDYCINA, Deus cui dulcia dudum.
 Pocula, Castaliosque indulfit amicior haustus:
 Atque ego, si faciles resissent fortè Camœnæ
 Nobilius molirer opus, tu GRANTA beata
 Audires, tu GRANTA, duo cui lumina præbet.
 SEYMORIANA Domus, neque enim mihi dicere fas est
 Patre magis, Natone tumes, dum fortiter Arces
 Alter Palladias tibi protegit, ornat & alter.
 I decus, I nostrum, sic cum longæva Senectus.
 Communem abripuit, nobisque tibi que Parentem

Restet adhuc, cui mox Academia deferat ultro
 Maturos Fasces, nec sese fentiat orbam.
 Quo vehor? Icariis ausus me credere pennis
 Ah demens! onerique impar sub mole fatisco;
 Ulterius vetuere Deæ. Sed Cynthius aurem
 Vellit & inceptum repetam, jubet Argumentum,
 Haud procul hinc turris nubes quæ vertice celsa
 Pulsat, ubi dulcesque Lyræ, fidiumque sonora
 Arrectas Plebis concordia detinet Aures.
 Clausas densa fores circumstat Turba, stupetque
 Miraturque sonos, & tinnula comprobat æra.
 Hic aliquis visus sociis festivior (illi
 Andrea cognomen, quis barbarus, ille rudisque
 Usque adeo vivit cui non est Andrea notus?
 Ut multos intra invitet, faciatque lucellum
 Ante fores sublimis adest, hunc Pileus ornat
 Versicolor, Pictis & floribus æmula vestis.
 Tam pulchram non Iri Geris, licet induat Ipse
 Vestimenta tibi Deus, & sit sartor Apollo.
 Hic stultum simulat, gaudetque Jocosus haberi,
 Sed non et simulasse putes, vult namque videri
 Stultus, & est; querno quem nitens fuisse Colonus
 Suspicit, inque hilares solvit dura ora chachinnos.
 Ah! ne te intrandi capiat tam dira Cupido,
 Nec tantum mirare Melos, Rhodopeia quamvis
 Plectra redisse putes, fabricataque stamina, Thebas.
 Est homo qui incedit nigrâ comitante Catervâ
 Cui Baculum Insigne Officii, quo pellere turbam
 Obstantem, valeatque fores effringere clausas.
 Non tam Myrmidonum turbâ stipatus Achilles
 Trojanos terrere Duces, pavidosque solebat
 Sectari Phrygas, immensumque fugare per æquor.
 Hunc Juvenes vitate virum, comitesque nefandos,
 Præcipuè si quem decorabit Purpura nota,
 Purpura nota nimis, frustra effugisse severi
 Censoris ficto moliris nomine mulctam.
 Index Vestis erit, manifestabitque latentem.
 Tum tibi tempus erit, magno cum optaveris emptum
 Intactum limen, cum Tympana Rauca melosque
 Oderis, & monitus serò experiere fideles.
 Hoc ego consilium discedens linquo manenti,
 Nam me pertæsum turbæ, magnique laboris
 Et Phœbi ductum exemplo, qui fessus & æger
 Rhedâ præcipitem fugiente relinquit Olympum.
 Ad Grantam revehit Currus, propriosque Penates;
 Hic Auriga suos, hic sistit Musa Caballos.

A P P E N D I X

T O

S T U R B R I D G E F A I R.

N^o I.

“**A**DVOCAT’ domus hospital’ Leprosor’ de Sturbrige solebat et de jure pertinere debet burgenf’ Cant’ qui tenent’ villam p̄d̄cam cum suis pertinent’ ad feod’ firma de d̄no rege alienat’ tunc per vacationem ejusd’ hospitalis de dictis burgenf’ injuste per d̄num Hugonem de Northwold quondam ep̄um Eliens’ et per ejus successores, qui ad eor’ voluntatem dederunt d̄co hospitali capellanis ībm commorant’ in hereditioe d̄ni regis; et predi&’ burgenfes ville Cant’ patiuntur grave damnum qui tenent dictam villam de feodo firma de d̄no rege; et hætenus nulli monstratum non fuit d̄no Hen’ rege fr̄e d̄ni regis qui nunc est et ejus consilio et etiam tam coram justit’ itinerantibus quam coram escaetor’ et inquis’ d̄ni regis apud Cantab’ venientibus, et de hac per d̄num regem nihil est emendatum. Ista presentatio alienat’ est infra 30 annos tempore Henrici regis fr̄is Edwardi qui nunc est.

Item custos hospitalis p̄d̄ci tenet xxiiii^r acras et dim’ terræ in camp’ Cant’ ex concessu plurimorum, et dicunt quod p̄d̄cs custos non sustinet ībm aliquos leprosos sicut de jure deberet.

Item jur’ dicunt ad dictum hospitium pertinere quandam feriam ad festum exaltationis S̄æ Crucis, quæ durat in Vigilia S̄æ Crucis ceu die S̄æ Crucis sequente infra clausum, cum pertinet ad dictum hospitale, quam quidem feriam d̄nus Johes rex predecessor d̄ni regis qui nunc est leprosis in dicto hospitali commorantib’ ad eor’ sustentationem dedit et concessit.”

Rot’ Hundred’ 9 E. I. from a copy of Layer’s MS. History of Cambridgeshire in the possession of Mr. Gough.

Nº II.

Commissio ad inquirend' et certificand' de terris et tenementis
et libertatibus ad Capellam de Steresbrigge pertinentibus.

From Hare's Collections, III. f. 58. b.

REX dilectis sibi Nicho de Styvecle, vicecomiti Cantabr' Johi de Ditton et Stepho Morice juniore, salutem. Sciatis qd cum nuper p' iras nras pat' dederimus et concesserimus dilecto clero nro Johi de Rouceby capellam de Steresbrigge tunc vacantem et ad nram donationem spectant' ratione temporalium ep'atus Eliens' tunc in manu nra certis de causis existentium, habend' cum suis juribus et pertinen' quibuscunque; ac jam intelleximus qd divers' terræ, tenementa, redditus, libertates, et alia jura quæ ad capellam prædict' ab antiquo pertinebant ab ead' capella temporib' quib' temporalia ep'atus præd' tam in manu nra quam in manibus progenitor' nrorum quondam regum Angliæ extiterunt, subtrahita fuerunt in nra et capellæ præd' (cujus collatio ad nos et hered' nros temporib' vacationis ep'atus præd' dinoscitur pertinere) grave præjudicium et damnum ac cultus divini qui in ead' capella pro aiabus progenitorum nrorum fieri daberet diminutionem manifestam, nos volentes super præmissa plenius certiorari, assignavimus vos et duos vrum ad inquirend' p' sacramentum proborum et legalium hominum de com' Cantabr' p' quos rei veritas melius sciri poterit quæ et cujusmodi terræ, tenementa, redditus, libertates, et alia jura quæ ad capellam prædict' ab antiquo pertinebant temporib' quibus temporalia ep'atus præd' in manibus dictor' progenitor' nrorum seu nra aut aliorum extiterunt subtrahita fuerunt, et p' quos vel p' quem et a quo tempore et ubi et qualiter et quomodo. Et ideo vobis mandamus qd ad certos dies ad loca quos vos seu duo vrum ad hoc provideritis diligentem sup' præmissis omnibus et singulis et aliis articulis et circumstantiis ea tangentibus faciatis inquisitionem et eam distincte et aperte factam nobis sub sigillis vris vel duorum vrum et sigillis eorum p' quos facta fuerit sive dilatione mittatis, et hoc breve. Et tu præfate vicecomes ad diem et locum prædictos venire fac' coram vobis vel duob' vrum tot et tales probos et legales homines de ballia tua per quos rei veritas in præmissis melius sciri poterit et inquire. In cujus rei testim' has iras nras fieri fecimus patentes. Teste meipso apud Westm' 3^{to} die Junii anno regni nri 37°.

Ex Rot. Pat. de anno 37° Edw. III. p. 1. m. 12. in dori' in Turri Lond'.

Nº III.

Nº III.

THOMAS &c. dilecto nobis in X^{to} Johi Cokenacke clico Cov' et Lich' dioc' salutem. Hospitale S^{te} Marie Magdalene de Sterefbrig n^{re} dioc' per mortem Dⁿⁱ Willi de Mulsho ultimi custodis ejusdem vacans et ad n^{ram} collationem pleno jure spectans tibi contulimus intuitu caritatis. Dat' Dec. 6º 1376.

Ex reg^{ro} Arundel e^{pi} El', t. 21.

Anno Dⁿⁱ 1390 Julii die 18^{mo} D^{ns} concessit om^{ib}' auxiliantib' ad sustentac^oem seu gubernac^oem capelle S^{te} Marie Magdalene de Sterefbrugge dioc' Eliens' quadraginta dies indulgentie.

Ex reg^{ro} Fordham e^{pi} El', f. 11. 6.

Anno Dⁿⁱ 1391, 24 die Jan. D^{ns} contulit D^{no} Thome de Patesle hospitale alias liberam capellam S^{te} Marie Magdalene de Sterefbrugge per resignac^oem Thome Flatte clici ex causa permutac^ois cum ecclia paroch' de Walde Newton Linc' dioc' vacante et ad collac^oem dⁿⁱ e^{pi} Eliens spectantem.

Commissio direct' mag^{ro} Johi Potton commissar' Dⁿⁱ Willmo de Oakeham decan' Cantebr' et W. Cokenesse et non archid' ad eum inducend'.

Reg' Fordham, f. 30. a.

A. D. 1391, 29 Jan. D^{ns} contulit mag^{ro} Metefeld bacal' in legibus hospitale alias liberam capellam de Sterefbrugge sue collac^ois vacantem p^{er} resignac' Tho. Pu- teste supradict'.

Commissio directa fuit mag^{ro} Johi Albon et Nicho Depyns in legib^{us} bacal' ad eum inducend'. Ib.

A. D. 1395 8º die Febr. D^{ns} contulit mag^{ro} Johi Metefeld clico custodiam five magisterium libere capelle five hospitalis B. Marie Magd' de Sterefbrugge p^{er} liberam resignac^oem Dⁿⁱ Johis Wynkeperie vacantem.

Ib. f. 53. e.

A. D. 1402, 28 die Oct. D^{ns} contulit D^{no} Robto Flatte presbrum liberam capellam B. Marie Magd' de Sterefbrugge p^{er} lib' resign' mag^{ri} Johis Metefeld ult' custodis ejusd' capelle five hospitalis vacantem seu vacans et ad collac^oem dⁿⁱ spectant.

Reg' Fordhā, f. 77. b.

* A 2

A D.

A. D. 1403, 3 die Oct. Dñs contulit maġro Johi Metefeld utriusq̃ juris licenciato liberam capellam sive hospitale B. Marie Magd' de Steresbrugge p resign' Dñi Robti Flatte ult' cūstodis ejusd' vacantem seu vacans.

Ib. f. 83. b.

J. Metefeld consanguineus ep̃i El' fuit.

A. D. 1403, 28 die Octobris. Dñs contulit maġrum Johis Metefeld utrusq̃ jure licenciato capell' sive hospit' B. Marie Magd' de Steresbrugge p lib' resign' maġri Willmi Waltham ult' custodis sive maġri ejusd' cap' sive hosp' vacantem.

Ib. f. 103. b.

Nº IV.

THOMAS permissione divina ep̃s Eliens' dilectis filiis perpetuo vicario eccl̃e paroch' S. Trinitatis Cañbr' nost' dioc' ac omnib' et singulis ipsius eccl̃ie parochianis salutem, gratiam, et ben'. Quia sicut accepimus festum dedicationis eccl̃e ṽre predict̃e tempore nundinar' de Steresbrigg' prope villam Cantebr' supradict' annis singulis contingebat, vosq̃ eccl̃e predict̃e parochiani circa negotiationes ṽras et alia mundana opera nundinar' hujusmodi occasione adeo fuistis multipliciter occupati q̃d dicto dedicationis festo ad eccl̃m ṽra predict̃' debite accedere, aut divinis iniū obsequiis interesse devote minime potuistis prout in hac parte plenius sumus informati, nos igitur ex causis supradictis et aliis legitimis nos in hac parte moventibus festum dedicationis hujusmodi usq̃ ad novum diem mensis Octobris ad laudem Dei ampliand' et ṽram devotionem divinis obsequiis ferventius excitandam duximus salubriter transferend'. Quocirca universitati ṽræ precipiendo mandamus quatenus ordinacōem ñram in hac parte debite acceptantes festum dedicacionis eccl̃ie ṽre supradict̃e dicto nono die mensis supradicti sub annis singulis in futur' solempniter celebratis, et ad dictam eccl̃m ṽram ipso die devote accedentes votivis orationibus a Deo satagatis ṽror' delictorum promereri. Dat' apud Dytton 16º die Julii anno Dñi MCCCCLXXVI, et ñre consec' tertio.

Ex regno Arundel ep̃i Eliens', f. 18.

Nº V.

N^o V.

Charta pro feria Sturbrigenſi tenenda.

REX* archiepiſ, epiſ, ducibus, comitibus, &c. ſalutem. Cum p quand' infor-
 maſſem p Johnem Baker generalem attorn' nrum qui pro nobis tunc ſeque-
 batur in curia nra coram juſtic' nris ad plita coram nobis tenend' aſſign' die Mer-
 curii prox' poſt craſtinum Purificationis Bte Mariæ anno nro regni xxx^{mo} p manus
 ſuas pprias verſus majorem, ballios, et burgenſes villæ Cantabr' in com' Cantabr'
 exhibitam expoſit' et dat' fuit eidem curiæ intelligi et informari quod dicti major,
 ballii, et burgenſes predictæ villæ Cantabr' in com' Cantabr' p quatuor annos tunc
 elapſos et amplius uſi fuerunt et ad tunc utebantur habere nundinas ſive feriam
 apud Bernewell et Sturbridge in com' p dco in craſtino Sſi Bartholomei Apli et ab
 eodem craſtino continue uſq' quartum decimum diem prox' poſt feſtum exaltationis
 Sſæ Crucis ſequen' ſingulis annis tenend' cum omib' libertatib' et liberis conſuetu-
 dinib' ad hujusm' feriam ſeu nundinas ſpectant' et ptinent', necnon habere et te-
 nere ibm p totum tempus predict' p ſeneſcallum et alios miniſtros ſuos cur' ped'
 pulveriſat' et colore ejuſdem attachar' nonnullos ſubditos nros ad nundinas ſeu fe-
 riam circumfluentes, ac eos tam p corpora quam p bona et cattella ſua multociens
 inquietare et aggravare, ac diverſas fines et amerciamenta de ligiis ſubditis nris
 capere et ad ſolum commodum dictor' major' balliviorum et burgenſium detinere et
 convertere, ac etiam habere omnimod' alias foriſfacturas et regalitates quaſcunq' in-
 fra præcinctum nundinarum et feriæ pred' apud Barnewell et Sturbrig predict'
 annuatim tempore feriæ ſeu nundinarum earund' contingent' de quib' omib' et
 ſingulis libertatib' et franchef', ſupradict' præd' major' ballii, et burgenſes p ſpa-
 tium dictorum quatuor annor' ſup nos apud Bernewell et Sturbrige in dicto com'
 Cantabr' uſurpaverunt in nri et nræ regiæ prerogativæ grave dampnum et præ-
 judicium ac in magnum contemptum nrum, unde predict' Johnes Baker petiit ad-
 viſamentum curiæ predict' in premiſſis, ſicq' pred' major, ballii, et burgenſes præ-
 muniabantur ad respondend' nobis quo warranto clamabant habere libertates,
 franchefias, ac privilegia ſupradicta p quod preceptum fuit vicecom Cant' p breve
 nrum qd non omitteret propter aliquam libertatem in ballivia ſua quin venire fac'
 coram nobis ad certum diem in dicto brevi nro content' ubicunq' tunc eſſemus in

* Henry VIII. John Baker was attorney general from 28 to 31 of his reign. See Dugdale Chronica ſeries, p. 85.

Anglia majorem, ballios, et burg' villæ Cant' in dicto com' Cant' ad respondend' nobis quo warranto clamabant habere diversas libertates et fraunchesias in com' præd'. Unde impetiti fuerunt, et postmodum, scilicet die Lunæ prox' post crastinum ascensionis Dñi anno regni nri xxxi^{mo} coram nobis apud Westm' vener' predict' major, ballii, et burgen' p' attornat' suum, et habito auditu premissor' petierunt inde diem interloquendi usq' in Octavis Scte Trinitatis tunc prox' futur' et eis concedebatur, aliisq' diversis diebus prefat' major, ball' et burgen' in hunc modum concess' tandem dies dat' fuit eisd' majori, balli et burgen' usq' diem Mercurii in Crastino Scti Johannis Baptæ anno regni nri tricesimo coram nobis apud Westm'. Et si idem major, ballii et burgen' sedente curia tunc et ibi nihil in extincōem informationis pred' dixissent qd tunc omnes et singuli libertates et franchises pred' in manus nras seiscirentur, et remanerent. Ad quos diem et locum coram nobis venerunt predicti major, ballii, et burgen' exact' p' attornat' suum et nihil pro jure et titulo suis ad habend', clamand' seu utend' eis et successorib' suis libertates, jurisdictiones, et privilegia pred' placitaverunt, nec aliquid in extincōem informationis pred' dixerunt: sup quo visis et p' cur' pred' intellectis omnibus et singulis premissis maturaq' deliberacōe sup inde prius habita concessum fuit quod omnes et singulæ libertates, franchises, et privilegia in informacōe pred' specificat' in manus nras seiscirentur et remanerent. Et qd pred' major, ballii, et burgen' caperentur ad satisfaciend' nobis de redemptione sua pro usu et usurpatione suis sup nos de libertatibus, franchises, jurisdictionib' et privilegiis predictis prout p' recordum inde in cur' nra prædicta residen' plenius poterit apparere, et licet predict' major, ballii, et burg' habeant diversas cartas et lras patentes progenitorum nostrorum quondam regum Angliæ et confirmacōes earund' pred' feriam ac nonnulla privilegia, auctoritates, jurisdictiones, et libertates eis et predecessorib' suis fact' et concess' p' verba generalia et non plane specificat' probantes et testificantes, ut accepimus, ipsi tamen nobiscum in p'lo præd' contendere nolentes ac libertates suas predictas contra nos defendere recusantes p' certos discretos burgen' ejusd' villæ in ea parte sufficienter auctorisatos ad psonam nram regiam accedentes seipsos ac omnia jura, jurisdictiones, privilegia, et libertates quæ in feria sive nundinis ac libertatib' predictis in informacōe predict' specificat' unquam habuerunt nre regiæ voluntati et bene placito submiserunt humillime.

Supplices quatenus nos gratiam nram eis de contemptu et usurpatione suis pred' ac de redemptione sua in hac parte impertire ac eand' feriam sive nundinas ac libertates, franchises, et privilegia præd' non solum eis restituere, sed eand' feriam sive nundinas sub expresso nomine Sturbridge Fayer sub modo et forma inferius descript' pro summa mille marcarum nōie finis in hac parte solvend' dict' majori, balliis, et burg' et eorum successorib' confirmare et p' chartam nram eis inde conficiend' de novo concedere dignaremur; unde nos attendentes et plene intelligentes maximum relevamen et subsidium p' qd dictus burgus sive villa in annuis sumptib' et onerib' sup supportatur et manutenetur consistere et esse ratione feriæ sive nundinarum præd' atq' quasi integram feodam firmam nram villæ prædict' nobis annuatim debet in eisd' nundinis sive feriæ annuatim colligi et levare maxima queq' alia beneficia et comoda tam ad omnium subditorum nrorum in dicto burgo degentium

gentium et inhabitant' quam aliorum illuc confluentium sustentacōem et relevamen occasione feriæ sive nundinarum illarum contigere et accedere, pietate moti atq̃ sup-
plicationib' præfatorum major' balliorum, et burgenf' favorabiliter inclinati, nec-
non dictam villam sive burgum n̄rum Cantabr' manutenere et supportare volentes,
feriam pred' sive nundinas ac omnes et singulas libertates, franches' et privileg' in
informacōe predict' specificat' predictis majori, ballis, et burg' restituimus p pre-
sentes, iudicio predicto sup informacōe illa habito non obstante utriusq̃ eand' fe-
riam sive nundinas vocat' Sturbrige Fayre cum om̄ib' libertatib' et liberis consue-
tudinib' ac comoditatib', proficuis, et auctoritatibus quibuscunq' quibus ipsi major,
ballii, burg' et predecessores sui ante hæc tempora iſm utebantur et gaudebant ac
uti et gaudere solebant eisd' majori, balliis, et burgenf' non solum ratificand' et
confirmand' prout p presentes ratificamus et confirmamus, sed etiam de novo duxi-
mus concedend', et eisd' majori, balliis, et burg' de contemptu, usu, et usurpacōe
pred' pardonand'. Sciatis igitur q̃d nos de gr̃a n̄ra speciali et ex certa scientia et
mero motu n̄ris pardonavimus, remisimus, et relaxavimus præfatis majori, balliis,
et burg' villæ sive burgi n̄ri Cant' alit' dict' majori, balliis, et burg' villæ Cant' in
com' Cant' seu quocunq̃ alio nōie sive quibuscunq̃ aliis nominib' iidem major, ballii,
et burg' censeantur, omnes et singulos contemptus, usus, usurpationes, transgres-
siones, intrusiones, abusus, et malefact' contra nos, dignitatem n̄ram regiam et n̄ram
coronam in utend' tenend' exercend' appunctuand' et custodiend' feriam sive nun-
dinas præd' ac omnia et singula actiones, sect' querel' informacōes, et demand' quæ
nos versus eosdem majorem, ballios, et burg' ratione præmissor' vel eorum alicuj'
habemus, habuimus, seu habere poterimus quovismod' necnon omnia et singula ju-
dicia, condemnacōes, et executiones versus dictos majorem, ballios, et burgenf' sup
præmissis vel aliquo præmissorum ante hæc tempora reddit' adjudicat' ac etiam
omnia et singula fines, amerciamenta, penalitat' forisfact' imprisonamenta, satis-
factōes, ac redemptiones quæ ipsi erga nos occasione premisor' vel alior' eorum
incurrere debent seu debuerunt, et ulterius nos ob amorem et affectionem quos
erga dict' villam n̄ram sive burgenf' Cant' ad majorem, ballios, et burg' ejusd'
villæ sive burgi gerimus et habemus de gr̃a n̄ra speciali ac certa scientia et mero
motu n̄ris necnon in consideratione dictæ sumæ mille marcarum nobis ut premit-
titur solvend' concessimus et per presentes concedimus pro nobis et heredib' n̄ris pre-
fat' majori, balliis, et burgenf' villæ sive burgi n̄ri Cant' prædict' q̃d ipsi et succes-
sores sui imppetuum feriam sive nundinas infra burgum præd' et villam de Berne-
well et in campis de Sturbrige et Barnewell præd' in dicto com' Cant' p hoc no-
men Sturbrig Fayre a festo S̄ti Bartholomei Apli usq̃ festum Michis Archangeli
extunc prox' sequent' cum om̄ibus et omnimodis libertatib' privilegiis, et liberis con-
suetud' ad hujusm feriam sive nundinas aliquo tempore pertinentib' sive spectant'
seu spectare et p̄tinere debent' quare volumus et firmiter precipimus pro nobis et
successorib' n̄ris præd' q̃d prefati nunc major, ballii, et burg' et successores sui
villæ n̄ræ Cantabr' predict' habeant et teneant ac habere et tenere possint et va-
leant singulis annis imppetuum dictam feriam sive nundinas infra burgum predict' ac
villam de Barnewell et in campis de Sturbrige et Barnewell predict' p hoc nomen
Sturbrig Fayre a dicto festo S̄ti Barthi Apli usq̃ dict' festum S̄ti Michis Archi-
extunc

extunc prox' sequent' cum om̃s et omnimodis libertatib' privilegiis, ac liberis consuetudinib' ad hujusm' feriam sive nundinas aliquo tempore p̃tinentib' spectantib' sicut prædictum est; et quoniam ad feriam sive nundinas illas vocat' Sturbrig Fayer non solum mercatorum pro rebus et mercandizis suis ibm exponend' nostrorum subditorum p̃ totius regni ñri Angliæ et aliorum dominiorum ñrorum circuitum necnon extraneorum pro rebus et mercandizis ibm emend' et vendend' maximus et frequentissimus sit concursus, volumus ac per præsentes concedimus q̃d prefati major, ballii, et burgen' ac successores sui cum congrua assistenc' recordator' et alderman' ejusd' villæ sive burgi ac cum alio debito apparatu et ornatu singulis annis imperpetuum aliquo uno die seu diversis diebus in festo seu post dictum festum S̃ti Barthi quem vel quos iidem major, ballii, et burg' juxta discretionem suas ad hoc assign' tam infra burgum sive villam Cant' et libertatem ejusd' quam infra villam et campos de Sturbrig et Barnewell prædict' dict' feriam sive nundinas per nomen de Sturbrig Fayer incipiend' et tenend' proclamare valeant, et ibm pacem ñram ab om̃ibus observare et custodire ñoie ñro mandari faciant, et q̃d ipsi major, ballii, et burg' et successores sui ab illa feria sive nundinis inceptis in aliquo loco congruo infra limites et bundas ejusdem feriae sive nundinarum habeant et teneant ac habere et tenere possint imppetuum durante feria sive nundinis prædict' cur' pedis pulverisat' p̃ recordator' sive senescallum suum custod' et tenend' et quod dicti recordator sive senescallus suus cur' pred' tēnens habeat cognitionem et determinationem omnium et singulorum p̃litorum et querelarum tam omnium et omnimod' debitorum, contractuum, conventionum, et transgressionum, quam aliarum causarum quarumcunq̃ tam inter mercatores quam alios subditos ñros et extraneos quoscunq̃ infra limites et bundas feriae sive nundinarum emergentium sive contingent' et eadem placita sive querelæ juxta legem et consuetudinem regni ñri Angliæ hætenus in hujusm' cur' usitat' et juxta formam statuti inde edit' et provi' audiend' et finaliter terminand' ac debitam executionem demandand' in tam amplis modo et forma prout dicti major, ballii, et burg' villæ prædict' vel predecessores sui antehac usi fuerunt et non aliter, et q̃d dicti major, ballii, et burgen' et successores sui p̃ eorum servientes et ministros quoscunq̃ transgressores infra limites et bundas feriae sive nundinarum illarum compert' et existent' tam p̃ corpora sua arrestare quam p̃ bona et catella sua attachiare et salvæ custodiæ committere donec de transgressionibus p̃ ipsas perperat' plene satisfac', ac fines quoscunq̃ pro hujusm' transgressionibus ac alia quecunq̃ fines, amerciamenta, exitus, et forisfact' infra dictam feriam sive nundinas contingent' et in dict' curia debit' assisa capere, recipere, levare, et habere, eaq̃ omnia et singula ad proprios usus convertere et habere possint et valeant absq̃ interruptione, molestatione, impedimento, seu gravamine ñri vel hered' ñrorum justic' escaetorum, vicecomit' aut' aliorum balliorum seu ministrorum ñrorum vel hered' ñrorum aut aliorum quorumcunq̃ absq̃ computo, &c. Concessimus insuper et per presentes concedimus pro nobis et hered' ñris pred' majori, balliis, et burgen' burgi sive villæ pred' q̃d ipsi et successores sui imppetuum habeant et teneant ac habere et tenere possint dictas nundinas sive feriam vocat' Sturbrig Fayer tam super solo, fundo, et terris in campis Sturbrig et Barnewell et Sempryngham vulgariter dict' le Whyte Chanons juxta Cantabrig' super solo, fundo,

fundo, et terra iſm p̄tinen' capellæ B̄te Mariæ Magdalenæ voc' Sturbrig Chappel quam ſuper ſolo, fundo, et terra quorumcunq̄ alior' infra fines, limites, et bundas burgi, villæ, et camporum præd' et q̄d ipſi opell' dockas, ſhopas, et ſtallas vulgariter dict' boothes, dockes, ſhoppes, et ſtalles quoscunq̄ neceſſarias pro mercandizis, victualib' vaſis batell', et mercimon' iſm ponend' exponend' et vendend' ædificare, fodere, et preparare poſſint et valeant in tam amplis et conſimilibus modo et forma prout ipſi antehac iſm ædificare, fodere, et preparare conſueverunt; et volumus ac per preſentes concedimus pro nobis et heredibus n̄ris præd' præfat' majori, baſſiis, et burg' q̄d ipſi et ſucceſſores ſui burgenſes burgi ſeu villæ Cantabr' præd' imppetuum ſoli habeant, teneant, et poſſideant opellas, dockas, ſhopas, et ſtallas, infra nundinas ſive feriam prædictam, ac in edificand' fodiend' conſtituend' ſive fiend' in tam amplis modo et forma prout ipſi præantea habuerunt et tenuerunt, et prohibemus q̄d nullus forinſecus non exiſtens burgenſis burgi ſive villæ Cantabr' præd' aliquas opellas, dockas, ſhopas, ſive ſtallas infra nundinas ſive feriam præd' habent et tenent ſive poſſident a die emanationis brevis n̄ri præd' de quo warranto habuerunt, tenuerunt, ſeu poſſiderunt, vel habere, poſſidere, et tenere conſueverunt, habere, tenere, et poſſidere valeant et poſſint; valeatq̄ et poſſit eaſd' juxta et ſecundum ordinationes et ſtatuta per majorem, recordat' alderman' et commune conſilium burgi ſive villæ Cantabr' prædict', vel majorem partem eorund' in ea parte fiend' et ſtabiliend' et juxta et ſecundum ordinationem n̄ram inferius declaratam. Conceſſimus igitur ac per preſentes concedimus pro nobis et heredib' n̄ris præfat' majori, baſſiis, et burg' q̄d major et quatuor principales conſiliar' burgi ſive villæ præd' pro tempore exiſtent' cum conſenſu communis conſilii burgi illius, vel major pars eorund' quorum dictos majorem et duos de dictis quatuor principalib' conſiliar' pro tempore exiſtent' tres eſſe volumus, totiens quotiens ſibi placuerit aut fore videbitur expedire ſeiſpos in Gilda Aula burgi præd' infra eundem burgum exiſtent' congregare et convenire poſſint et valeant, et iſm leges, ordinationes, et ſtatuta tam pro ſalvatione, commodo, et utilitate burgi præd' ac bono regimine, gubernatione, tuitione, et manutentione nundinar' ſive feriæ prædict' quam pro ſecuritate illorum burgenſium qui hujusm' opellas, dockas, ſhopas, ſive ſtalla iſm habent et tenent, et pro diſpoſitione et continuatione earundem de tempore in tempus condere, facere, ordinare, et ſtabilire, ac eaſdem leges, ordinationes, et ſtatuta, ſecundum ſanas diſcretiones ſuas prout caſus et rei neceſſitas exigeret mutare et reformare; necnon ea ōia et ſingula in executionem de tempore in tempus ponere et demandare prout eis melius videbitur expedire poſſint et valeant imppetuum abſq̄ impedimento n̄ri vel heredum n̄rorum aut aliquorum quorumcunq̄. Ita ſemper q̄d idem major, quatuor principales conſiliarii, aldermanni, et cōmune conſilium p̄ hujusm' leges et ſtatuta ordinare debent q̄d omnes et ſinguli tales burgenſes burgi præd' qui ad ſolutionem dictæ ſum̄æ millē marcar' contribuentes fuerunt ac pro ſolutione earund' nobis obligati exiſtunt et eorum heredes habeant, teneant, et gaudeant ſibi et heredibus ſuis imppetuum omnes et ſingulas hujusm' et conſimiles opellas, dockas, ſhopas, et ſtallas, ac libertatem faciend' conſtruend' ædificand' ſive locand' eaſd' opellas, dockas, ſhopas, et ſtallas infra precinctum nundinar' ſive feriæ præd' quales et quas ipſi aut eorum aliquis modo habent ſeu habet aut ante

aliquo tempore habuerunt seu habent; nolumus enim quod illi burgenſes ſeu alii qui non tribuerunt ſummæ predictæ habeant nec habere ſeu clamare poſſunt nec debeant aliquas opellas, dockas, ſhopas ſive ſtallas, neque libertatem faciend', conſtruend', ædificand', ſeu locand' hujusm' opellas, dockas, ſhopas ſive ſtallas infra præcinctum nundinar' ſive feriæ præd' niſi tantummodo ſecundum leges, ſtatuta, et ordinationes quæ præd' major, quatuor conſiliarii, aldermanni, et cõe conſilium in ea part' faciant, ſed ab omni jure, titulo, et intereſſe ſuis in eiſdem penitus ſint excluſi imppet'; et ulterius q̄d ipſi ſimiliter ordinare poſſint ſi voluerint aut neceſſarium fore videbitur q̄d omnes et ſinguli hujusm' burgenſ' burge ſive villæ præd' qui aliquas opellas, dockas, ſhopas ſive ſtallas infra nundinas ſive feriæ præd' in præſenti habent, tenent, et poſſident, et in futuro habere, tenere, et poſſidere contigerint eaſd' opellas, dockas, ſhopas ſive ſtallas habeant et teneant ſibi heredib' et assignat' ſuis jure hereditario imppetuum, ita ſemper quod jus hereditar' illud ad aliquem burgenſem burge ſive villæ præd' omnino deſcendat; et tamen ulterius ordinare poſſint q̄d bene liceat hujusm' burgenſib' dictas opellas, ſhopas ſive ſtallas ad præſens habentib' et imposterum habere contingentib' eas omnes et ſingulas cuicunq̄ al' burgenſ' burge illius ſive cuicunq̄ filio ſuo ſive filiæ aut filio ſive filiæ alterius burgenſ' illius burge vendere, alienare, ac per ultimam ſuam voluntatem licite et libere diſponere et legare poſſint et valeant. Et ulterius volumus et per præſentes concedimus pro nobis et heredib' nr̄is præſatis majori, balliis, et burgenſ' et ſucceſſor' ſuis, q̄d major, aldermanni, et cõe conſilium dicti burge ſive villæ vel major pars eorund' pro tempore exiſtent' quoscuq̄ inhabitantes infra univerſitatem nr̄am Cant' de tempore in tempus aſſeſſare poſſint et onerare ad ſolvend' et contribuend' id q̄d neceſſarium fore videbitur pro ſalvatione, deſenſione, manutentione, et tuitione villæ ſive burge nr̄i prædicam contra et adverſus impetus et fluxus aquarum ibm contingentium quam pro emendend' ſtratas et venellas villæ ſive burge prædict' ac vias ad villam ſive burgum præd' et feriæ ſive nundinas præd' ducentes, ac pro aliis negotiis et cauſis de cetero ibm emergent' et fiend' cancellario, magiſtris, ſcolarib' et ſtudentibus dicte nr̄æ univerſitatis et eorum ſucceſſorib' omnino exceptis. Et ſi aliqua ſumma congrua et neceſſaria imposterum ſuper inhabitantes prædictos infra villam ſive burgum præd' pro tempore exiſtent' ex cauſis prædictis per dictos majorem, aldermannos, et cõe conſilium præd' pro tempore exiſtentes vel majorem partem eorund' determinari, assignari, vel imponi contigerit, tunc major villæ ſive burge præd' pro tempore exiſtens habeat plenam virtutem præſentium [et] poteſtatem eandem ſummam per ſervientes ſuos ad hoc deputand' de tempore in tempus levand' petend' et colligend' ac eandem ſummam ſic levatam et collectam per et ſuper viſum et diſcretionem ipſorum majoris et aldermannorum ſeu majoris partis eorund' in uſum, deſenſionem, emendationem, tuitionem, et manutentionem feriæ ſive nundinarum ac villæ ſive burge et viarum præd' convertend' et applicand'. Et ſi aliquem vel aliquos hujusm' levatione contradicentes ſeu repugnantes invenerint, tunc ipſum vel ipſas ſic contradicentes et repugnantes ſecundum diſcretionem ſuam puniend' et caſtigand'; proviſo ſemper q̄d hæc præſens conceſſio nr̄a ſicut præmittitur præſatis majori, balliis, et burgenſ' villæ præd' aut aliqua parcella per nos conceſſ' ſeu fact' nullo modo ſe extend' in dampnam, detrimentum, et præjudicium literarum

rarum n̄rarum patentium p nos seu progenitores n̄ras cancellario, maḡris, scolarib' et earum successor' in universitate villæ n̄ræ Cant' de et super aliquibus libertatibus, privilegiis, et franchesiis ante hæc tempora per nos seu progenitores n̄ros sub magno sigillo Angliæ fact' seu concess'; sed q̄d dicti cancellar', maḡri, et scolares et eorum successores habere et possidere valeant habeantq̄ et possideant omnes et omnimodas libertates, franchesias, et privilegia in dictis n̄ris patentib' eis per nos seu progenitores n̄ras præantea concess' ac eis uti et gaudere possint adeo libere, quiete, et pacifice, prout idem cancellarius, maḡri, scolares, et eorum successores pretextu n̄rarum patent' præd' habere, possidere, uti, et gaudere debeant et valeant, aut habere consueverunt, absq̄ perturbatione, impedimento, molestatione, districtione, seu calumnia dictorum majoris, balliorum, et burgenf' vel successor' suorum seu aliquorum justiciar' escaetor' vicecomit' aut alior' officiar' seu ministror' n̄rorum quorumcunq̄; dicta concessione n̄ra eisd' majori, balliis, et burgenf' sive aliqua in eadem contenta, recitata, et specificata, aut aliquibus aliis statutis, actibus, ordinationib', provisionib', seu proclamationib' in parlamento pro seu extra parliamentum in contrarium ante hæc tempora fact' seu concess' aut impofterum faciend' seu concedend', aut aliqua alia re, causa, vel materia quacunq̄ in aliquo non obstante, et ulterius volumus, et per presentes concedimus, q̄d dicti major, ballii, et burgenf' habeant hanc cartam n̄ram sigillo n̄ro sigillat' absq̄ fine seu feodo magno vel parvo nobis in hanaperio cancellar' n̄ro seu alibi ad usum n̄rum reddend' seu solvend', eo q̄d expressa mentio, &c.

Ex Miscellan. P. inter Cod. MSS. in C. C. C. C. f. 302.

N^o VI.

Quod major & burgenſes Cantabrigie licite poſſint de cetero tenere feriam ſive nundinas apud Sturbridge et Barnewell annuatim per ſpacium 36 dierum modo quo ipſi retroactis temporibus uſi fuerunt, ſalvis ſemper omnibus libertatibus et privilegiis univerſitatis ibidem.

Ex Bib. Cottoniana Fauſtina C. III.

ELIZABETH Dei gratia, &c. Omnibus ad quos hæ literæ noſtræ patentes pervenerint ſalutem; Cum major, ballivi, et burgenſes villæ noſtræ Cantabrigiæ in comitatu Cantabrigiæ ante triceſimum annum incliti & prechariſſimi patris noſtri Domini Henrici Dei gratia nuper regis Angliæ octavi de tempore in tempus exiſtentes tempore cujus contrarii memoriæ hominum non exiſtit habuerint ac uſi fuerint habere et tenere quotannis quandam feriam ſive nundinas apud Barnewell et Sturbridge, in predicto comitatu Cantabrigiæ ac infra libertatem villæ noſtre Cantabrigiæ tentam ſive tentas ac per nomen nundinarum de Sturbrige cognitam ceu cognitas incipientes ſive incipientes quolibet anno in feſto ſancti Bartholomei apoſtoli et ab eodem feſto continue uſque decimum quartum diem proximum poſt feſtum exaltationis Sanctæ Crucis ſingulis annis durante ſive durantes, una cum omnibus et omnimodis juridiſctionibus, authoritatibus, curiis, proficuis curiarum, liberis conſuetudinibus, tolnetis, doccagiis, picagiis, ſtallagiis, opellis, groundagiis, advantagiis, comoditatibus, proficuis, eaſiamentis, et aliis libertatibus quibuſcumque ad huiusmodi feriam ſive nundinas pertinentibus vel quoquo modo ſpectantibus, exceptis nonnullis libertatibus, poteſtatibus, juridiſctionibus, immunitatibus, preſcriptionibus, conſuetudinibus, eaſiamentis, preheminenciis, proficuis, et commoditatibus univerſitati noſtre Cantabrigiæ infra eaſdem nundinas habitis, uſitatis, perceptis, quæ quidem nundinæ per laudabilem induſtriam majoris, ballivorum, & burgenſium villæ Cantabrigiæ predictæ a tempore in tempus exiſtentes (loci ipſius comoditate, academie vicinitate, & temporis oportunitate opitulantis) in longe maximas celeberrimas totius Angliæ nundinas evaſerint, unde plurimum utilitatis tam mercatoribus per univerſum regnum Angliæ ubique locorum diſperſis ad eaſdem nundinas concurrentibus ac merces et merchandiſas ſuas ibidem brevi tempore vendentibus quam etiam emptoribus ad nundinas illas de ſingulis totius regni partibus ad piſces falſos, butyrum, caſeum, mel, ſalem, linum, canabum, picem, et bitumen, aliasque merces & merchandiſas quaſcumque emendas ac providendas venientibus affluxit, ac

cum ex proficuis earundem nundinarum major, ballivi, et burgenſes diſte ville Cantabrigiæ de tempore in tempus per tempus immemoratum exiſtentes non ſolum maximam partem ſeptuaginta librarum legalis monete Angliæ pro feodo firme ville Cantabrigiæ predictæ ac aliarum libertatum et franchefiarum ſuarum per cartas diverſorum progenitorum noſtrorum regum Angliæ reſervatas levaverint, verum etiam earundem nundinarum beneficio eandem villam in viis, ſtratis, ſoffis, ac aliis oneribus quamplurimis ſupportare et manutenere per totum tempus predictum uſque triceſimum annum regni prechariſſimi patris noſtri prædicti ſatis habiles effecti ſunt et potentes, ac cum univerſis commoditatibus antedictis non obſtantibus poſtea, videlicet die Mercurii poſtremum poſt craſtinum purificationis Beate Marie anno regni illuſtriſſimi ac prechariſſimi patris noſtri domini Henrici nuper regis Angliæ octavi triceſimo per Johannem Baker attornatum dicti nuper patris noſtri prechariſſimi in curia ejuſdem nuper patris noſtri apud Weſtm' coram juſticiariis ejuſdem nuper patris noſtri ad placita coram ipſo nuper domino rege ac patre noſtro tenenda assignat' dat' fuit eidem curiæ intelligi et informari quod major, ballivi, et burgenſes dictæ villæ Cantabrigiæ in comitatu Cantabrigiæ ad tunc pro tempore exiſtentes per quatuor annos tunc ultimo elapſos et amplius uſi fuerunt et ad tunc utebantur habere nundinas ſive feriam apud Barnewell et Sturbridge in comitatu Cantabrigiæ in craſtino ſancti Bartholomei apoſtoli et ab eodem craſtino continue uſque decimum quartum diem proximum poſt feſtum exaltationis Sanctæ Crucis ſequentem ſingulis annis tenend' cum omnibus libertatibus et liberis conſuetudinibus ad hujusmodi feriam ſive nundinas ſpectant' necnon habere et tenere ibidem per totum tempus predictum per ſeneſcallos et alios miniſtros ſuos curiam pedis pulveriſati et colore ejuſdem capere et attachiare nonnullos dictos nuper domini regis ac patris noſtri ſubditos ad nundinas et feriam predictas conferentes, et eos tam per corpora quam per bona et catalla ſua multoties inquietare & aggravare, ac diverſos fines, redemptiones, et amerciamenta de hujusmodi dicti nuper patris noſtri ſubditis capere, et ad ſolum commodum dict' majoris, ballivorum, et burgenſium detinere et convertere, ac etiam habere omnimodas alias forisfacturas et regalitates quaſcunque infra precinct' nundinarum ſeu ferie prædictæ apud Barnewell et Sturbridge predict' annuatim tempore ferie ſeu nundinarum earundem contingere; et quod de omnibus et ſingulis libertatibus et franchefiis ſupradictis predicti major, ballivi, & burgenſes per ſpatium dictorum quatuor annorum et amplius ſuper dictum dominum regem apud Barnewell et Sturbridge predict' in dicto comitatu Cantabrigiæ uſurpaverunt in dict' domini regis et ſuæ regiæ prerogativæ grave dânnum et prejudicium ac in magnum contempt' ipſius domini regis prout per informationem predict' in dicta curia dicti nuper domini regis ac patris noſtri prechariſſimi remanend' plenius liquet.

Super qua quidem informatione dictis tunc majore, ballivis, & burgenſibus villæ Cantabrigiæ predict' premonitis exiſtentibus ad respondend' quo warranto claimabant habere libertates, franchefias, et privilegia predict' ſi quid pro ſe et ſucceſſoribus ſuis in extinctionem informationis predict' dicere vellent aut ſcirent, ac eiſdem majore et ballivis, & burgenſibus die Lune proximo poſt craſtinum aſcenſionis domini anno regni predict' nuper patris noſtri prechariſſimi triceſimo primo coram ipſo domino rege et patre noſtro prechariſſimo apud Weſtm' per attornatum ſuum comparantibus,

ribus, et diversis diebus interloquendi eis in eadem curia datis et concessis, tandem die Mercurii in crastino sancti Johannis Baptiste anno regni dicti nuper domini regis ac patris nostri precharissimi tricesimo primo, quia dicti ad tunc major, ballivi, et burghenses nolentes cum dicto patre nostro precharissimo in hac parte contendere aut libertates suas predictas defendere, sed semetipsos quoad feriam seu nundinas de Sturbridge predictas ac alias libertates in eadem informatione specificat' voluntati et bene placito dicti nuper patris nostri precharissimi humilime submittentis nihil dixerunt in extinctionem informationis predictæ, concessum et consideratum fuit per curiam dicti domini regis ac patris nostri quod omnes et singulæ libertates, franchise, et privilegia in informatione predicta specificat' in manus dicti patris nostri precharissimi seiserentur et remanerunt prout per record' inde in dicta curia dicti nuper patris nostri remanente plenius poterit apparere; cumque major, ballivi, et burghenses nostri dicte ville nostre Canteburgiæ nunc pro tempore existentes per dilectum et fidelem nostrum Rogerum North militem dominum North de Kyrtling summum et capitalem dicte ville senescallum nobis humilime supplicaverint quatenus nos regia pietate moti feriam predictam vocatam Sturbridge Fair cum omnibus libertatibus et liberis consuetudinibus antedictis eisdem majori, ballivis, et burghensibus concedere dignaremur, nos equis postulationibus eorundem majoris, ballivorum et burghensium favorabiliter annuentes longum et continuum usum earundem nundinarum vocatarum Sturbridge Fair per eosdem majorem, ballivos, et burghenses, eorumque predecessores in forma predicta habit' considerantes ac proficua et utilitates tam mercatoribus quam emptoribus ad easdem nundinas venientibus ac etiam majori, ballivis, et burghensibus ville predictæ et universitati nostre predictæ provenient' perpendentes, firme insuper nostre continuationi unde maxima pars ex proficuis earundem nundinarum levare solebat prospicere volentes, ac ut dicta villa nostra Canteburgiæ tam in oneribus suis supportetur quam sub prospero et pacifico regimine nostro augeatur et condecoretur desiderantes, ex gratia nostra speciali ac ex certa scientia et mero motu nostris dictam feriam seu nundinas de Sturbridge quotannis apud Barnewell et Sturbridge infra libertatem dicte ville Canteburgiæ tenend' ac in festo sancti Bartholomei apostoli annuatim inceptur' et ab eodem festo continue usque decimum quartum diem proximum post festum exaltationis Sancte Crucis annuatim temporibus futuris duratur' una cum omnibus et omnimodis antedictis proficuis, commoditatibus, easiammentis, curiis, proficuis curiæ, autoritatibus, jurisdictionibus, facultatibus edificandi, construendi, erigendi, cooperiendi, removendi, locandi, necnon ordinandi et disponendi opellas loc' earundem nundinarum et opellarum consuetis, et aliis libertatibus, franchises, et liberis consuetudinibus universis quibus ipsi nunc major, ballivi et burghenses eorumve predecessores in nundinas predictas aliquibus temporibus retroactis usi aut gavisi fuerunt, prefatis majori, ballivis, et burghensibus ville nostre Canteburgiæ et eorum successoribus imperpetuum damus et concedimus, ac pro nobis, heredibus, et successoribus nostris (quantum in nobis est) restituimus extra manus nostras, deliberamus, confirmamus, ratificamus, et approbamus per presentes, salvo tamen ac semper exceptis et reservatis tam nobis heredibus et successoribus nostris quam cancellario, magistris, & scholaribus dicte universitatis nostre Cantabrigiæ et successoribus suis omnibus et singulis privilegiis, liber-

libertatibus, franchesiis, immunitatibus, preheminenciis, potestatibus, jurisdictionibus, prescriptionibus, consuetudinibus, easiamentis, proficuis, commoditatibus, et advantagiis quibuscumque a dictis cancellario, magistris, et scolariis universitatis nostre Cantebriegiæ, aut eorum aliquo, aut ab eorum ministris, famulis, aut servientibus, aut ab eorum aliquo aut ab aliqua vel aliquibus dictæ universitatis nostre Cantebriegiæ personis privilegiatis in dictis nundinis, feria, seu feriis predictis. Anglice vocat Sturbridge Fair, vel infra precipit. earundem, vel aliquibus subditis nostris, cetibus, conventibus, ceu congregationibus infra suburbia ville nostre Cantebriegiæ, vel infra villam de Barnewell, aut ejusdem ville campos et limites, ante hac vulgariter vocate Sturbridge Fair, vel in aliquibus locis ubi feria sive nundine vulgariter vocate Sturbridge Fair ante hæc tempora tenebantur quæ ratione, causa, vigore, vel virtute alicujus donationis, concessionis, seu confirmationis nostre vel progenitorum nostrorum ante hæc tempora habit' ceu fact' aut alicujus actus parlamenti aut quæ per ipsos aut ipsorum aliquem in nundinis, feria ceu feriis predictis aut precipitis earundem vel in dictis cetibus, convent' ceu congregat' vel in dictis locis ubi feria seu nundine vulgariter vocate Sturbridge Fair ante hac tenebantur habit' gavis' usitat' aut percept' fuere aliquo tempore per majorem partem viginti annorum proxime preteritorum hiis literis nostris patentibus aut hac concessione, restitutione, ceu deliberatione nostra, aut aliqua lege, causa, re; vel materia quacumque in contrarium inde aliquo modo nonobstante, habend' tenend' utend' et gaudend' feriam sive nundinas una cum omnibus et omnimodis antedictis proficuis, commoditatibus, easiamentis, curiis, proficuis curiarum, autoritatibus, jurisdictionibus, facultatibus edificandi, construendi, erigendi, cooperiendi, removendi, locandi, necnon ordinandi et disponendi opellas locis earundem nundinarum et opellarum consuetis et aliis libertatibus, franchesiis, et liberis consuetudinibus universis quibus ipsi nunc major, ballivi, et burgenfes eorumve prædecessores temporibus retroactis (ut præfertur) usi vel gavis' fuerunt (exceptis preexceptis) prefatis majori, ballivis, et burgensibus, eorumque successoribus imperpetuum predicto judicio in predicto brevi de quo warranto reddito aut aliquo actu, ordinatione, abusu, non usu, aut aliqua alia re, causa, vel materia quacunq in aliquo non obstante: Volumus insuper et pro nobis, heredibus, et successoribus nostris ex certa scientia et mero motu nostris prefatis majori, ballivis, et burgensibus, et eorum successoribus (quantum in nobis est) damus et concedimus per presentes quod ipsi et eorum successores de tempore in tempus futur' tempor' existen' ordinationes, regulas, et statuta, secundum formam et effectum harum literarum patent' quoad pacificam et quietam gubernationem nundinarum predictarum, ac tam quoad edificationem, erectionem, cooptur' locationem, dislocationem, remotionem, limitationem, prefictionem, et ordinationem opellarum quarumcunque infra nundinas predictas de cetero erigend' quam etiam quoad dispositiones et assuran' earundem per ultimæ voluntat' donationes, sursum reddiciones, aut aliter fiend' necnon quoad singul' artium, facultatum, occupationum, seu misteriorum mercatores, opifices, atque artifices, opellas seu stationes aliquas in nundinis predictis tenentes sive occupantes conjunctim prout decet locis, opellis, et stationibus unicuique earundem artium, facultatum, occupationum, et misteriorum mercatoribus, opificibus, et artificibus designatis, et consuetis, specialiter vero in quodam loco earundem nundinarum vocato Cheapside collocand' ordinand' designand'

designand' disposend' et deputand' facere, constituere, edere, et stabilire possint et valeant imperpetuum vel ad tempus prout eis magis expedire videbit duratur' et inviolabiliter observand' dummodo ordinationes, regule, et statuta hujusmodi jure, titulo, sive interesse alicujus burgenſes dicte ville Cantabrigiæ legitime et secundum consuetudines et ordinationes dicte ville tenenti seu possidenti aliquam opellam in nundinis predictis, nec libertatibus aut privilegiis cancellarii, magistrorum, et scholarium universitatis nostre Cantabrigiæ, nec consuetudinibus suis ante hac per majorem partem viginti annorum proximo preteritorum usitat' aliquantulum derogent nec legibus aut statutis regni nostri Angliæ fuerint repugnant' ac dummodo hujusmodi ordinationes, regule, aut statuta non prohibeant nec restringent aliquam personam per universitatem prædictam privilegiatam a conductione alicujus opelle seu opellarum in nundinis predictis, ac que quidem ordinationes, regule, aut statuta tam per prefatos majorem, ballivos, et burgenſes aut eorum successores impoſterum edenda et stabilienda quam per eos aut eorum prædecesſores ante hæc edita seu stabilita de tempore in tempus mutandi, revocandi, rejiciendi, adhibillandi, aut secundum eorum discretionis confirmandi, necnon alia quæcumque de tempore in tempus edendi, ordinandi, et stabiliendi prout temporis mutatio et rerum eventus exigebit, eisdem majori, ballivis, et burgenſibus, eorumque successoribus pro nobis, heredibus, et successoribus nostris (quantum in nobis est) ex certa ſcientia et mero motu nostris plenam auctoritatem damus et concedimus facultatem: Nolumus autem sed expresse prohibemus per presentes aliquos venditores aliquarum mercium Angliæ appellat' mercery wares, seu grocery wares, alibi in nundinis prædictis locari vel aliquam opellam seu stationem ad hujusmodi merces vendend' in nundinis illis occupari nisi in prædicto loco vocato Cheapeſide; nec aliquos pannos laneos seu vestimenta aliqua facta ex panneis laneis alibi in eisd' nundinis vendicioni exponi præterquam in loco consueto ibidem vocato the Duddery; nec aliquos aurifabros alibi in eisdem nundinis locari seu merces suas in aliquibus opellis vendicioni exponere nisi tantum in loco earundem nundinarum antiquitus appellato Cooper Lane, alias Golde Smithis Rowe; nec aliquos fabros stannarios, Anglice pewterers, vel brasiers, alibi in nundinis illis merces suas vendicioni exponere nisi solummodo in stationibus et opellis earundem nundinarum consuet' in Pewtry Rowe et Brasier Rowe ibidem. Providemus tamen et expresse volumus per presentes qd omnes et singuli burgenſes nostre ville prædictæ qui secundum ordinationes ante hac in eadem villa factas et consuetudines ejusdem villæ hætenus usitatas aliquam seu aliquas opellam seu opellas in nundinis predictis de prefatis majori, ballivis, et burgenſibus modo tenent' sibi, heredibus, et assignatis suis burgenſib' dicte ville vel proprio termino vite vel annorum, sive hujusmodi opellam seu opellas perquerirint sive eam vel eas per disſeſſum hereditarie acceperint, earundem opellarum quamlibet sibi, heredibus, et assignatis suis burgenſibus dicte villa vel pro termino vite vel annorum secundum separales eorum status, titulos, interesse, et terminos quos in eisdem juxta ordinationes in eadem villa ante hæc factos et stabilitos ac publice eorumdem majoris, ballivorum, et burgenſium auctoritate in eadem ville nuper confirmat' ac secundum consuetudines ejusdem villæ hætenus usitatas habent de cetero, habeant, et teneant, ac habere et tenere valeant harum presentium literarum noſtrarum patentium beneficio et vigore,

ac

ac in tam amplis modo ac forma ac si hæc prefens carta nostra cuilibet burgensium predict' (quoad opellas suas quas modo de prefatis majore, ballivis, et burgensibus in nundinis predict' ac in forma predicta tenent) esset confecta atque concessa; proviso semper quod quo melius unitas et concordia inter cancellarium, magistros, et scholares universitatis nostre predictæ Cantebregie ac majorem, ballivos, et burgenes dicte ville nostre Cantebregie foveat' et conservat' nolumus neque intendimus has literas nostras patentes aut quicquam content' in eisdem intelligi, accipi, vel torqueri ad tollend' coartand' diminuend' aut in dubium vocand' ullam partem libertatum, franchesiarum, immunitatum, potestatum, jurisdictionum, prescriptionum, consuetudinum, easiamentorum, beneficiorum, aut commoditatum, a dictis cancellario, magistris, et scholaribus, aut eorum aliquo, vel ab eorum ministris, famulis, seu servantibus, aut eorum aliquo in nundinis, feria sive feriis predictis vocatis Sturbridge Fair, habit' gavis' usitat' vel percept' ratione, causa, vigore, seu virtute alicujus concessionis, actus parliamenti, prescriptionis, aut consuetudinis cujuscumque, aut ab ipsis vel ipsorum aliquo in nundinis predictis vel in aliquibus subditorum nostrorum cetibus, conventibus, seu congregationibus infra suburbia ville nostre Cantebregie vel infra villam de Barnewell aut ejusdem ville campos et limites ante hac vulgariter vocate Sturbridge Fair, vel in aliquibus locis ubi ferie seu nundine vulgariter vocate Sturbridge Fair ante hac tempora tenebantur habit' gavis' usitat' vel percept' aliquo tempore per majorem partem viginti annorum proximo preteritorum, sed quod predicto cancellario, magistris, et scholaribus, ac successoribus suis eorumque singulis et ipsorum ministris, famulis, et servantibus quibuscumque bene liceat et licebit in nundinis sive feriis predictis uti, frui, gaudere, habere, tenere, et percipere omnia et omnimodo libertates, franchises, immunitates, potestates, jurisdictiones, prescriptiones, consuetudines, easiamenta, beneficia, et commoditates, per nos seu per aliquem progenitorum aut predecessorum nostrorum seu per authoritatem parliamenti ipsis aut ipsorum alicui datis, concessis, aut confirmatis, vel ab ipsis aut ipsorum aliquo in eisdem nundinis, cetibus, conventibus, sive locis predictis vulgariter vocatis Sturbridge Fair, aliquo tempore per majorem partem viginti annorum proximo preteritorum habit' percept' usitat' aut gavis' in tam amplis modo et forma ad quemcumque effectum, propositum, seu intentionem ac si hæc litere nostre patentes majori, ballivis, et burgensibus ville nostre Cantebregie predictæ omnino factæ non fuissent, absque ullo scrupulo, dubitatione, seu questione de, in, aut super ea removendi hiis literis nostris patentibus aut materia seu re aliqua in eisdem contentis in aliquo non obstante; proviso semper et nostra voluntas et intentio est quod he litere nostre patentes aut aliqua res seu materia quecumque in eisdem superius content' nullo modo se extendat neque quovismodo intelligat' interpretet' seu accipiat' ad tollend' evacuand' restringend' diminuend' seu coartand' privilegia, libertates, immunitates, preheminencias, authoritates, jurisdictiones, proficua, commoditates, advantagia, seu eorum aliqua vel aliquod ante hac tempora per nos sive progenitores nostros majori, ballivis, et burgensibus dicte ville nostre Cantebregie dat' tradit' seu concess' neque nunc virtute et pretextu aliquarum literarum nostrarum patentium aut progenitorum nostrorum, vel ratione et vigore alicujus actus parliamenti ante hac editi seu provisi pleno et integro robore jure existit, seu existunt, et dehinc existere poterit seu poterint, sed quod has

litteras nostras patentes atque omnia et singula in eisdem contenta omnimodo habeant, accipiant, et interpretent' imperpetuum contra nos, heredes, et successores nostros, atque omnes alias personas atque personam, corpus politicum atque corpora politica, nunc aut impofterum aliquod jus, titulum, aut interesse de aut in predictis nundinis, feria seu feriis de Sturbridge habentes aut vendicantes aut habentia ceu vendicantia, quam liberalissime ad omnem usum, commodum, et utilitatem ipsorum majoris, ballivorum, et burgensium, et successorum suorum. Et quod dicti major, ballivi, et burgenses, et eorum successores his literis nostris patentibus imperpetuum uti possint et valeant in quacumque juris forma ad omnes effectus et intentiones prout iis maxime commodum meliusve expedire videbitur, aliqua re seu materia quacumque in presentibus aut aliqua lege, ordinatione, ceu materia quacumque in contrarium inde in aliquo non obstantibus. In cujus rei testimonium has litteras nostras fieri fecimus patentes teste meipso apud Westm' decimo die Augusti anno regni nostri 32.

N° VII.

BREVE patens direct' cancell' ut supervident mensuras in feriis de Sterebridge. 7 R. II.

In hoc rescripto collegi potest ferias de Sterebridge teneri in suburbio villæ Canteburgiæ.

Breve patens H. VII. directum canc' vel vicecanc' et procuratorib' Canteburgiæ quateans supervideant vasa cum salmone, allece, anguillis, ac certis piscibus in Cantab', Barnwell, et Sterebridge, &c.

N° VIII.

N^o VIII.

7 HEN. V. Quod Vic' habeat correctionem victualium, mensurar' et ponderum in feria de Sturbrig' pendente lite inter Universitatem et cives Londinen'.

From Hare's Collections.

REX dilecto et fideli suo Willi Asenhull chivaler vic' nro Cantebr' salutem. Sciatis qd cum diversæ lites, discentiones, et debata inter cancellarium et scholares universitatis nre Cantebr' ex una parte et majorem aldermannos et cives civitatis nre Lond' ex altera de eo qd tam dicti cance' et scolares quam prædicti major, aldermanni, et cives prætextu diversarum libertatum, franchesiar' quietanciar' et immunitatum utriq' parti p cartas pgenitorum nrorum quondam regum Angliæ quas confirmavimus concessarum clamant habere custodiam assise et assaie panis, vini, et cervisie, et supvisum mensurarum et ponderum civium Lond' ad feriam sive nundinas de Stirebrigge confluentium, ac correctionem, punitionem, castigationem, potestatem, et gubernationem earund' ac potestatem mensuras et pondera legalia consignandi, et transgressores in præmissis puniendi et castigandi, ac quædam alia in cartis et confirmatione prædictis contenta, motæ sint et subortæ, quæ coram consilio nro pendunt indecisæ. Nos inde volentes tam ad riotas et alia mala et inconvenientia evitanda quæ in hoc casu in pturbationem pacis nre et ligeorum nrorum de facili oriri poterunt quam p salva et sana gubernatione regimine ferie sive nundinarum hujusm ne aliqua riota, mala, damna, vel inconvenientia hujusm litibus, dissentionibus, et debatis sic pendentib' ullo modo fiant in eisd' put ad nos attinet debite pvidere, de avisamento dicti consilii nri ordinavimus, ac vobis tenore præsentium committimus potestatem ad prædictas assisam et assaiam panis, vini, et cervisie p præd' cives venditioni exponend' custodiend. Ac ad mensuras et pondera eorund' civium ad feriam sive nundinas apud Sterebrigge præd' in prox' tenend' confluentium sup vidend' necnon ad eosd' cives corrigend', puniend', castigand' et gubernand' ac prædicta mensuras et pondera legalia consignand' et transgressores eorundem civium in dictis feria sive nundinis in præmissis hac vice tantum puniend' et castigand' ad finem qd pax nra in ligeos nros præd' (put decet) in oñibus observetur. Et ideo vobis mandamus qd circa præmissa diligenter intendatis ac ea faciatis et exequamini in forma præd' Damus autem tam præfatis cance' et scolari' quam præfatis majori, aldermannis, et civibus, ac aliis quorum interest tenore presentium firmiter in mandatis qd vobis in premissis faciend' et exequend' pareant, obediant, et intendant prout decet. In cujus rei testim' has lras nras firi fecimus pat'. Teste Johne Duce Bedford custode Angliæ apud Westm' 14 die Julii anno regni nri 7 per consilium. Ex rot' pat' de anno 7 R. Hen. V. membr' 29 in turr' Lond'.

* C 2.

N^o IX.

N° IX.

A. D. 1534, 24 die Julii in die Veneris. Dr. Edmondes and I William Buckmaster, messyngers, sente from thuniversity to procure and set forthe ther cause and sute agaynst the townesmen concernynge our privilegees: whose proctors were masters Brakyn, Slegge, R. Chapman and J. Chapman, J. Miller aldermen of Cambridge. We met at Lambeth before my Lorde Chauncellor and my Lorde of Canterbury with the Duke of Norfolk: ther wer presente besyde my Lorde Marques of Exeyster, the Deane of the chapell, Dr. Sampson, and the King's Almoner Dr. Fox, Dr. Therlbye and Dr. Haynes. Wheare it was decreede by the saide Lordes that Styrbridge fair was in the subarbes of Cambridge, and the Vicechancellor or his commissary might keep courte cyvyll ther for plees wher a scolar was the one party. Item, that in the same faire thuniversity had the oversighte correction and punishmente of all weightes and mesures of all manner of vytayll of all regraters and forestallers. Item, it was determyned that spices be vytail.

From the Black Paper Book of the University.

N° X.

The heads of the Universtie's privileges in Sturbridge Fair.

Annis 1533 and 1534, Dr. Herries Vicechancellor.

First, The Proctor's commissary and other officers of the university keep a court in the fair, because it is within the subarbs of Cambridge, and the university are clerks of the market, and have the oversight and correction of weights and mesures, and victuals in the fair.

2. They hold plea in the said court of contracts and trespasses made within the said fair as without, which was one of the things agreed upon in a composition with the town, viz. that the university should have the like privilege there as the mayor.

3. They hear and determine pleas personall as well between scholars, servants, as all foreigners and others of the king's subjects, if a scolar or scholar's servant be one party by the commissary in the fair court by the order of the civil law by witnesses

ness or otherwise, excepting in causes relating to victuals, wherein they determine according to the common or statute law.

4. They make proclamation in the said fair before the proclamation of the mayor of Cambridge, by virtue of the king's letter patent as conservators of the peace, and as having the overseer of victuals which is the first thing sold in the fair.

5. The Proctors search all manner of fish as well salt-fish as other, pewter, brass, &c. haire, girthwebb, silks, furs, beds, and all upholstery wares, spices and grocery, rape-seed, mustard seed, fustians, worsteds, says, honey, soap, oil, tallow, wax, &c. brought to be sold in the said fair, and take the forfeitures of the same when faulty, &c. This they do by virtue of royal charters.

6. The Proctors by virtue of the king's writt directed to the university, and as clerks of the market are the proper gaugers in the fair to gauge all manner of barrelled wares brought to be sold, and take the usual fees allowed by the law for the same, as also for weighing, viz: of every one that bringeth salmon or any thing of like nature to be sold 12 d. for every last gauging. For every last of oil gauging 12 d. Item, for every last of soap weighing and gauging 12 d. For every last of honey weighing and gauging 4 s. &c. and the fines and forfeitures for want of weight and measure.

7. The Taxers take of all victuallers in the fair a greater or lesser sum according as they can agree for breach of the assize of bread and beer which they sell in the fair. N. B. This taken in lieu of heavier penalties which the offending victualler incurs, and the taxers may lawfully inflict for such offence.

8. For every cart load of oats to be sold in the fair they take 4 d. &c.

Ex Miscel. P. C. C. C. de rebus Cant.

Nº XI.

Litteræ patentes de redditu annuali exeunte de quibusdam shopes et boothes in Sturbrige concessio majori et burgenfibus sub quad' conditione.

Philippus et Maria Dei gr̃a rex et regina Anglie, Hispanie, Francie, utrusq̃ Sicilie, Jerusalem, et Hibernie, fidei defensores, archeduces Austrie, duces Burgundie, Mediolani et Brabantie comites, Haspurgie, Flandrie, et Tirolis omnibus ad quos presentes l̃ræ perven' sal'. Cum quidam annualis redditus octo librar' quindecim solidor' et duor' denar' annuatim exeunt et solvend' de certis shopes et les boothes in Sturbrige in com' Cantebr' in tenura majoris, ballivor' et burgenf' ville ñre Cantebr' ad sustentationem et manutentionem certor' obituum anniversar' et annualis cujusd' elemosine erga pauperes infra p̃d̃cam villam annuatim fiend' ratione cujusd' actus partiti ap' Westm' anno regni precharissimi fr̃is ñri Edw. VI. nup reg' Anglie

Anglie 2do tenti, ac ratione cujusd' presentacōis sec' tenorem ejusd' actus habite et fact' in manus nup dicti ffr̄is n̄ri devenit ac etiam in manibus n̄ris jam existit et cum dēus præcharil' fr' n̄r a temp' ejusd' parl' annuatim durante vita sua solvebat et dedit, ac nos similiter a regno n̄ro inchoato hucusq' annuat' solverimus et dedimus præfatis majori et burgenfibus ville n̄re p̄dce quendam alium annualem redditum 6 librar' decem solid' et 6 den' parcell' supra scripti annualis redditus 8 l. 13 s. 2 d. ea intentione q̄d iidem major, ballivi, et burgenfes annuatim de tempore in tempus p̄ dictum annualem redditum 6 l. 10 s. 6 d. p̄ nos ut præfertur eisd' dat' et solutum erogarent et distribuerent ac erogari et distribuere facient pauperib' et egenis infra p̄dca villam n̄ram Cantebr' inhabitantib' et cōmorantib' ad tempora et loca usitata juxta suas et laudabiles donator' voluntates et modo et forma prout iidem major, ballivi, et burgenfes semp̄ antea usi facere soliti fuissent, sciatis igitur q̄d nos tam pro causis et considerationib' p̄dcis ac intuitu pietatis quā habemus ad pios eccle sitos et ceremonias sec' catholicam fidem et donator' voluntates infra p̄dcam villā n̄ra Cantebr' annuatim imperpetuum de cetero faciend' et observand' ac etiam pro eo q̄d prædce shopæ et les booths in Sturbrige p̄dct' sunt et t̄pe sessionis parl'ti p̄dci fuerunt terre custumar' et nost' de nobis aut de aliquo manerio n̄ro tent' ac proinde supradict' annual reddit 8 l. 15 s. 2 d. de iisd' shopis et les booths exeunt' ac ut præfettur annuatim solvend' juxta puram, simplicem, et legitimam intentionem p̄dci actus parl' ac ratione et vigore ejusd' aliquo legitimo modo in manus dēi precharissimi ffr̄is n̄ri devenire non debuisset et in manib' n̄ris jam existit aut existerē potest quam pro fidelitate, industria, ac acceptabili servitio nobis p̄ p̄dcos majorem, ballivos, et burgenfes ante hac fact' et impens' ac imposterum habend' faciend' et impendend' de gratia n̄ra speciale et ex certa scientia et mero motu n̄ris dedimus et concessimus et p̄ presentes damus et concedimus præfatis majori, ballivis, et burgenfibus p̄dicte ville n̄re Cantebr' supradict' annualem reddit' 8 l. 15 s. 6 d. de ipsis shopes et les booths in Sturbrige annuatim exeunt' et solvend' adeo plene, libere, et integre, ac in tam amplis modo et forma prout iid' major, ballivi, et burgenfes p̄dci portione recitat' dēum annualem redditum unquam habuerunt, usi, vel gavisi fuerunt, aut habere, uti, vel gaudere debuerunt aut potuerunt si idem annuales redditus nunquam in manus p̄dci præcharissimi ffr̄is n̄ri aut n̄ras devenisset, et adeo plene, libere, et integre, ac in tam amplis modo et forma prout idem annualis redditus ad manus dicti præcharissimi ffr̄is n̄ri ratione vel prætextu p̄dicti actus parl' vel aliter quocunq' modo devenit seu devenire debuit, devenerunt seu devenire debuerunt, ac in manib' n̄ris non * existit vel existunt seu existere debet vel deberent, habend' tenend' gaudend' et retinend' p̄dictum annualem red' 8 l. 15 s. 2 d. p̄ nos p̄ presentes preconcess' eisd' majori, ballivis, et burgenfibus et eor' successorib' imperpet' ad opus, usus, et intentiones supradict' annuatim imperpet' ut p̄fertur observand' et perimplend'. Mandantes etiam et p̄ plentes firmiter inpingendo p̄cipientes tam Thel' et Baronib' scacc' n̄ri quam oib' et singulis receptoribus, auditoribus, et aliis officiariis et ministris n̄ror' hered'

* *Non*; so in the fair copy, but in another corrected draught which is joined with this in the Cotton book it is *jam*.

et successor' nror' prefate regine quibuscunq̄ et eor' cuilibet q̄d ipse et eor' quilibet sup totam demonstrationem har' literar' patentium aut sup irrotulament' eorund' absq̄ aliquo brevi seu warranto a nobis vel heredib' aut successorib' nris prefate regine quoquo modo impetrand' obtinend' seu prerequand' plenam, integram, debitamq̄ allocationem, defalcationem, deductionem, et exonerationem manifestam prefatis majori, ballivis, et burgenfib' et eor' succ' de omni p̄dicto redditu 8 l. 15 s. 2 d. p nos p presentes p̄concel' facient et percausabunt. Et he litere nre patentes aut irrotulamentum earund' erunt annuatim et de tempore in tempus tam dictis thes' et baronib' scaccarū nri quam oib' et sing' p̄dictis receptorib' auditorib' et aliis officiariis et ministris nris hered' et successor' nrum p̄fate regine quibuscunq̄ et eor' cuilibet sufficiens warrant' et exoneratio in hac pte. Ac ulterius damus pro consideratione p̄dicta ac ex certa scientia et mero motu nris p p̄sentes concedimus p̄fatis majori, ballivis, et burgenfib' totum illud p̄dict' reddit' 8 l. 15 s. 2 d. et profic' ejusd' a festo S. Michis archang' ultimo pretento hucusq̄ proven' sive existen' habend' eisd' majori, ballivis, et burgenfib' ex dono nro absq̄ compoto seu aliquo alio proinde nobis heredib' vel succ' nris prefate regine quoquo modo redend' solvend' vel faciend'. Ac etiam volumus pro considerationib' p̄dictis ac ex certa scientia et mero notu nris p present concedimus p̄fatis majori, ballivis, et burgenfib' q̄d habeant et habebunt has lras nras patentes sub magno sigillo nro Anglie debito modo fact' et sigillat' absq̄ fine seu feodo magno vel parvo nobis in hanoperio nro vel alibi ad usus nros quoquo modo reddend' solvend' vel faciend'. Eo q̄d expressa mentio de vero valore annuo aut de aliquo alio valore vel certitudine p̄missor' aut de aliis donis sive concessionibus p nos seu aliquem progenitor' nror' p̄fatis majori, ballivis, et burgenfib' ante hec tempora fact' in p̄scentib' minime factis existit' aut aliquo statuto, actu, ordinatione, provisione, seu restrictione inde in contrarium fact' edit' ordinat' sive provis' aut alia aliqua re causa vel materia quacunque in aliquo non obstante. In cujus rei testimonium has lras nras fieri fecimus patentes. Testibus nobis ipsis apud Westm' 23 die Junii annis regnor' nror' tertio et 4to per breve de privata sigillo.

Ex rot' pat' de an' 3 et 4 Phil. et Mar. regum p. 7. in Domo Convector. Lond.

Bib. Cott. Faustina, C. III. f. 407.

This is also entered at length in the book commonly called, "The Cross Book of the Town of Cambridge."

N^o XII.

The publick beame for weighing of hoppes recovered to the Univerſity at Sturbridge Fair, in a letter to the Maior and Aldermen, 12 C. II. for in the civil warr the town had uſurpt it. (Vicechancellor's little black book.)

CHA. R.

TRUSTY and wellbeloved we greet you well. Whereas wee are informed from our Univerſity of Cambridge, that ſeverall of their rights and priviledges (which they have heretofore enjoyed by charter and cuſtome) have in theſe late yeares of publick diſtraction been intrenched upon by our towne of Cambridge, and ſome of the officers thereto belonging, particularly the right of ſetting up the ſole publick beame for the weighing of hops and other things of great bulk in Sturbridge faire, which did anciently belong to the ſaid Univerſity and their officers, and which as we are informed (beſides other evidences) appears by the acts of your court regiſtred in the mayoralty of Mr. Foxton. Now wee being deſirous to keepe a good correſpondence between our ſaid Univerſity and towne, and that either body ſhould enjoy their juſt rights, have thought fitt to requeſt you to permitt our Univerſity and their officers (till you ſhall ſhew ſufficient cauſe to the contrary) to enjoy without diſturbance the aforeſaid right of ſole weighing ſuch hops as ſhall be ſould at Sturbridge faire, together with all other their antient priviledges. And upon notice ſhall be carefull, that no intrenchment bee made upon any of thoſe rights which you may juſtly claime. Given under our ſignet manuell at our court at Whitehall the thirtieth day of Auguſt in the twelfth yeare of our reigne.

To our truſty and wellbeloved
the mayor and aldermen of
the towne of Cambridge.

William Morrice.

The original was delivered to
Mr. John Ewen, mayor,
by me Matth. Whenn.

Concordat in originali.

Examinat per nos
Will. Dillingham Procur.
Joan. Gardneu Procur. alt.
Matth. White, not. pub.

From Tabor's book, p. 728.

Eliz. The mayor keeps Barnwell and Sturbridge fair for 36 days. Sturbridge from Bartholomew to Holy croſſe. Barnwell *more ſolito*.

Liber privilegior' burgi.

From The Great Black Book it appears that the *old cry* (or proclamation) at Styrebridge fayre was much different from what it is now.

N^o XIII.

N^o XIII.

Quod Vicecomes capiet p'turbatores feriæ Barnewellenfis five
scolares fint five de communitate villæ.

18 Ric. II.

REX vicecōiti Cantebr' salutem. Cum nuper de grā nra speciali et de avi-
fāmto consilii nri concefferimus et p cartam nram confirmaverimus p nobis et hære-
dib' nris dilectis nobis in Christo priori et conv' de Bernewell qd ipsi et successores
fui imppetuum habeant quandam feriam apud Bernewell singulis annis p 14^o dies
duratur', viz. p 7 dies .px sequent' eodem die computato cum omnib' libertatibus
et consuetudinib' ad hujusm' feriam p'tinent' dum tamen feria illa non sit ad no-
cumentum vicinarum feriarum put in carta nra præd' plenius continetur jamq̃
præfati prior et conv' nobis intimaverint qd tam plures de cōitate villæ Cantebr'
quam de universitate ejusd' villæ in congregationib' et conventiculis illicitis ad
feriam præd' venire et easd' priorem et conv' quo minus ipsi hujusm' feriam suam
ibm juxta concessionem nram præd' habere valeant impedire intendunt manifeste.
Nos, qui universis et singulis ligeis nris tam majorib' quam minorib' equalis judex
et oportunus p'tector fore astringimur vinculo juramenti, volentes tam indempnitati
ipforum prioris et conv' ac inviolabili salvationi omnium jurium fuor' eis p'dictam
concessionem nram incumbentium quam illæfæ obfervationi pacis nrae quam ubiq̃
confovere tenemur p'fpicere, ac transgressores et delinquentes in hac parte (si qui
fuerint) cum rigore justitiæ castigare et debite coercere. Tibi præcipimus dis-
trictius quo possumus injungentes qd ppter bonum pacis et evitationem periculo-
rum quæ ligeis nris prædictis feriæ præd' decenter confluentib' et metu et malicia
hujusm' congregationum et conventiculor' terribiliter evenire possit apud villam
de Bernewell tempore feriæ præd' p'sonaliter accedas et ibm p'clamari et taliter
ordinari facias ne quis cujuscunq' status, gradus, seu facultatis fuerit aliqua hujusm'
conventicula et congregationes illicita in eadem feria ullo colore facere, dicere, vel
inere præsumat clam vel palam p quæ pax nra ledi seu populus noster p'turbari
aut solitus concursus populi nri ad feriam præd' impedire poterint quovismodo,
universos et singulos quos in hac parte delinquentes invenire poteris arestans et
carcerali custodie committens in ead' salvo custodiend' quousq̃ p eorum delibe-
ratione aliter duxerimus demandand'. Teste me ipso apud Westm' 12^o die Julii
anno regni nri 18^o. ✠ Ex rot' clauf' de anno 18^o regis Ric'i II. membr' 3 indorf'
in turr' Lond'.

N° XIV.

Custom and toll due in the time of Sturbridge Fair for divers
wares brought thither.

	d.
For every cade of red herrings at the lying,	1
For 100 of ling,	6
For every 100 of wabboks ling,	4
For every 100 of coddcs,	4
For every 100 of wabboks coddcs,	2
For every heap of fish to be retailed laid upon a matt of the old assize,	2
Of every jule of cured fish for groundage,	4
Of grindestones every foot,	$\frac{1}{2}$
Of every person that retaileth soap, for his standing in the fair,	2
Of every hundred wainscot,	8
Of every dicker of leather,	2
Of every 100 calf-skins,	4
Of every 100 sheep-skins,	2
For groundage of every load of pales, shovels, pack-saddles, cart-saddles, and goddends,	4
Of every great salt-stone,	2
Of every bushel of mustard seed,	$\frac{1}{2}$
Of every load of baskets, farms skepps leeper and such other,	4
Of every stranger selling freshwater fish in kemblin,	1
Of every cart load of oysters for cart and standing,	4
Item a barrel of osmonds,	2
Item a barrel of pitch,	2
Item a barrel of tar,	2
Item a barrel of herrings,	2
Item a barrel of cork for dying,	2
Item for every barrel of cured fish,	2
Item a barrel of salmon,	4
Item a barrel of oil,	4
Item a barrel of honey,	4
Item of sturgeon a barrel,	4
Item a barrel of sope,	4
Item a barrel of eels,	4
Item a barrel of birdlime,	4
Item	

Item cart laden with poles,	1
Of every cart loaden with heboldines,	1
Of every horse with a wombye loaden,	$\frac{1}{2}$
Of every cart loaden with beyondsea claphold,	2
Item 100 of beyondsea claphold for groundage,	1
Of every cart loaden with English claphold and lying down,	2
Of every horse fold,	1
Of every load of hobboldynes for groundage,	1
Of every cart loaden with faggots, besides the fall penny,	$\frac{1}{2}$
Of every cart loaden with smiths coals,	2
Of every cart loaden with timber,	2
Of every cart loaden with lathes,	2
Of every cart loaden with boards,	2
Of every cart loaden with cheefe,	2
Of every load of boards, hurdles, spokes, and lathes, for groundage,	2
Of every load of hewn timber, for groundage,	2
Of every fodder of lead, for groundage,	2
Of every cart or wayne loaden with lead, for groundage,	2
Of every load of iron, for groundage if he hath no booth,	2
Of every cart loaden with iron, for laying down,	2
Of every cart loaden with hayres,	2
Of every cart loaden with sackcloth,	2
Of every cart loaden with any manner of merchandize then aforesaid, at lying down beside the groundage,	2
Of every cart or wayne loaden with nails, at lying down,	2
Of every person felling nails, for groundage,	6
Of every keel or boat that beareth a helm, as oft as he cometh,	2
Of every keel or boat that beareth no helm, as oft as he cometh,	1
Of every heap of coals,	4
Of every cart loaden with merchandize discharged at Barnwell,	2
Of every cart charged with merchandize at Barnwell other than the inhabitants' goods of Cambridge, coming from Barnwell to the fair and there discharge	1
Of every cart charged with the inhabitants' goods at Cambridge or at Barnwell and discharged at the fair,	$\frac{1}{2}$
Of every cart loaden with merchandize or wayne goying out of the fair,	2

N° XV.

Styrbrydige Fayre, anno 1553, Reg. Mar. 1°.

From the MS. library of Bene't Coll. Cambridge.

N° 32.

Aftre our hartie comendacions; wheras contrary to certain privileges graunted by the kings majestie and his noble progenitours unto his universitie of Cambridge oone John Daye and Stephan Rolandson wardens of the crafte and mistery of the Pewterers within the citie of London, have put in a certaine information with you in the king's courte of Thexchequer agaist John Meare oone of the bedells for the universitie of Cambridge for certaine pewter leased unto the king's use at the last Sturbridge feare, his higness' pleasure is that you proceade no further to judgement therein, but suffre the same to stay and hange untill his majestie's will be further knowne, and these shall be your sufficient warrant for the same. Fare you well, from the king's majisties' palace of Westminster the 22 of November 1550.

Your loving frend.

This sent to the barons of th'Exchequer from the counsayl.

Item another to the promoters ut infra bi the same counsaylors.

N° 33.

In termino Sñi Michs anno 1553 Regn' Edv. VI^r.

Mem' quod Johannes Daye & Stephanus Rowlandson gardiani artis mistere de lez Pewterers civitatis London' venerunt coram baronib' hujus faccarii xix^o die Octobris hoc termino in propriis personis suis et sacramentum prestiterunt corporale, quod ipsi decimo die Septembris ultimo pretent' apud Barnwell in com' Cant' in apertis nundinis ibidem tunc tentis vocat' Sturbridge feyer seifiverunt et ad opus dñi regis et ipsorum Johannis Daye et Stephani Rawlandson arrestarunt diversas pecias electri ad tunc ibidem operati in salinis, ollis, et coopertoriis pro ollis
4 viz.

viz. xxxv salinas vocat' holowe saltēs ac tres ollas vocat' quarte pottes et unam ollam vocat' a pynte potte ponderant' in toto xxiiii l. valor' cujuslibet lib' inde iii d. ob. de bonis et catt' cujusdam Johannis Warrene Pewterer et ix coopertoriis pro ollis ponderant' unam lib' et quatern unius librat' val' in toto iii d. de bonis et catallis cujusdam Henrici Browne Pewterer pro eo quod saline, olle, et coopertoria predicta deceptivē faste, fuse, et operate fuerunt de insufficient' metallo electri multo subitus bonitat' metalli electri facti, fusi, et operati in civitate London contra formam statuti in hujusmodi casu inde nuper edit' et provis'. Quorum pretexto iidem Johannes Daye et Stephanus fuerunt tunc ibidem de salinis, ollis, et coopertoriis predictis ad opus predictum possessionati. Et ipsi sic inde possessionati existentes postea viz. xi die Septembris apud Barnwell predictam venit quidam Johannes Mere al'. Meres de villa Cantebri' ad tunc unus bedellorum universitatis Cantabr' una cum quam pluribus aliis sibi aggregatis vi et armis ac dictas salinas, ollas, et coopertoria extra manus et possessionem dñi regis et ipsorum Johannis Daye et Stephani cepit et rescussit, et voluntatem suam inde fecit in contemptu dñi regis ac contra leges suas, unde predicti Johannes Daye et Stephanus Rowlandson petunt avis. Curie in premissis. Ac quod predictus Johannes Mere al' Meres veniat hic ad respondendum dño regi tam de contemptu predicto quam de bonis predictis. Ac quod iidem Johannes Daye et Stephanus Rowlandson — eorundem bonorum habere valeant juxta formam statuti predicti.

Nº 34.

Edwardus Sextus Dei gratia Anglie, Francie, et Hiberniæ Rex, Fidei Defensor, et in terra Ecclesiæ Anglicanæ et Hibernicæ supremum caput Vic' Cant' salutem. Precipimus tibi quod non omittas propter aliquam libertatem quin venire facias coram baronibus de sacchario nostro apud Westmonast' in Octavis Sñi Hillarii Johannem Mere alias Meres de villa Cant' nuper unum bedell' universitatis Cant' ad respondendum nobis de diversis salinis et aliis rebus de insufficient' metallo electri operatis nuper ad Johannem Deye et Stephanum Rowlandson gardianos artis de lez Pewterers London ad opus nostrum certis de causis tanquam forisfact' pertinent' nuper seist et arrestat' ac in manibus et possessione ipsius Johannis Mere ad opus nostrum custodiend' demiss' aut de pretio sive valore inde, unde nobis nondum est responsum, et habeas ibi tunc hoc breve. T. Rogero Cholmeley mil' apud Westm' xiiº die Novembris anno regni nostri quinto.

Nº 35.

N^o 35.

Wheras thuniverfitie of Cambrige have bi the king's majestie and other his noble progenitours charters among other things the viewe, ferche, correction, and forfeiture of all pewter that comyth to Sturbrige fayr unmerchantable, and youe John Daye and Stephan Rowlandson intermedled with the ferche therof, clayming the moytie of all fuche pewter as ther was fownd forfeited, and being therof denyed have put in to the kings majestie's court of theschekyr for the recovery of the sayde moytie an information agaynst John Mere one of the bedels for the sayd univerfitie and the officer appoynted with other for the ferche therof aforfayd. The king's majestie's pleasure is for saving of the sayd privileges that youe procede no further therein, but suffer the same to staye and hang untill his majestie's wyll be further knowen, and this shall be your sufficient warrant for the same. Fare ye wel, from the King's Palace of Westm' ye xxi Novemb' 1550,

Your lovyng Friends.

Edw. Somerfet. T. Cant. J. Warwike. J. Bedford. W. Worthe. Ed. Clyntō.
W. Paget. T. Ely. Th. Cheyne.

1550.

Mem. that Mrs. Fan and Branbye wer joyned with Mr. Mere and Mr. Shirwood in ferche at this fayer.

Mr. Mery's costs to discharge the Pewterers enformation.

Spent in his jorneye xv s. 11 d.

Unde allowed of the townsmen towards his chargys xvii s. 1 d. and rec. herof of thuniverfitie moneye at London xl s. 14 Novem. an. 1550.

At this ferche of pewter the aldermen of the Pewterers wer inhibited ther ferche bi the ferchers of the univerfitie and town, but at length agreed to ferche joyntly. 10 Sept.

Mem. That the wardens of the Pewterers of London ceasing the pewter wer rescued bi J. Mere bedel and the towns men, and toke from them the pewter forfeited, wheruppon thei sued the sayd J. Mere in the esckekyr, he sought to the counsayl for redrefs to the confirmation of the univerfitie's privileges, and optayned their letters to the wardens charging them to cease of their sute.

To the chargis wer the baylyes contributorye.

N^o 36.

N^o 36.

Thus receyved bi the Bedel and the Townsmen and partly found by promoters.

Rychard Lylve of Stow of Thold in Gloffetershere hathe put to sale contrary to the statute vii peces of welthe frefe and hathe paid for his fyne to Draper the partye that sued xx š. and for the quenes parte	vi š.
Receyved of Mr. Caree of Brystow for xv peces of karfey put to sale contrarye to the statute	iii ſ.
And off Maye for felts forfeited	v š. iiiii d.
Receyved of Tho. Mate for 11 karfeys and 1 frefe	xxx š.
Receyved of Mr. Ryngsted for exchaunge olde sylver and from John Holls xxv š. whereof Tho. Gardener the promoter had xx š. and v š. for the quene.	
Receyved of Thomas Daye for 111 peces of karfeye put to sale contrarye to the act and seased for the quene	xxx š.
Receyved of the 11 Streaches and Bowldry of Walden for clothes forfeited	x š.
Receyved of the Wardens of the Pewterers for pewter forfeited.	viii š. iiiii d.
Receyved of Smythe Twyffyn and Hadstack for	ii š. viii d.
Receyved of Mr. Coxe of Brystow for viii peces	xl š.
Receyved of Mr. Chambers Habberdasher for a cappe folde	
Receyved of Mr. Kytchyn Goldsmith for byinge of	x š.
Receyved of Mr. Hamlett for mattresses forfeited	v š.
Receyved of Geo. Alys for the lyke	v š.

At the bottom of the page in a different hand are the three following Items which seem to be the disbursements of the taxors.

Item for the woman for the sewing	ii š.
Item paid Wyllm Grange for a cappe	ii š. iiiii d.
Item for our chargys at the fayre	x š.

N^o 37.

Styrbr' Fayre 1555.

Imprimis, Rec' of Robt Patman of Stafford towne . . .	XL š.
It. of Thom̃s Duffylde of London for karfeys and cotons . .	xxx š.
It. of Mr. Kempe for xxi karfeys	XL š.
It. of Mr. Ingledew of London for x pec' frese	v š.
It. of Hufseye for freses	iiii š.
It. of Richard Tayler draper	iii š. iii d.
It. of the Pewterers	ii š. x d.
It. of Mayat for unsealed karfeys	xii š.
It. of Mr. Myllys for ii brode clothes	xii š. iii d.
It. of Mr. Torkynton for v karfeys	ii š. viii d.
It. of Mr. Lute for vi karfeys	v š.
It. of Whypps Draper of London	iii š.
It. of Mr. Care of Bristowe	xx d.
It. of Mr. Lee for iii yards brode clothe	v š. xi d.
It. of Pynchbeck and Jackman for fether beds	xiii š. iii d.
It. of John Mafseye for iii packs of frese	xiii š. iii d.
It. of Mr. Sprat for karfeys	v š.
It. to the chapell keepers and attendinge on the beame and skals:	

Mem. that Mr. Fletcher hath remayninge in his hands of Mr. Hudson's of London i remnente of brode clothe of iii yards save a nayle not yet devyded.

END OF NUMBER XXXVIII.

B I B L I O T H E C A
T O P O G R A P H I C A
B R I T A N N I C A.
N^o XXIII.

C O N T A I N I N G

The HISTORY and ANTIQUITIES of
HAWSTED, in the COUNTY of SUFFOLK.

[Price Nine Shillings.]

AMONG the various Labours of Literary Men, there have always been certain Fragments whose Size could not secure them a general Exemption from the Wreck of Time, which their intrinsic Merit entitled them to survive; but, having been gathered up by the Curious, or thrown into Miscellaneous Collections by Booksellers, they have been recalled into Existence, and by uniting together have defended themselves from Oblivion. Original Pieces have been called in to their Aid, and formed a Phalanx that might withstand every Attack from the Critic to the Cheesemonger, and contributed to the Ornament as well as Value of Libraries.

With a similar view it is here intended to present the Publick with some valuable Articles of BRITISH TOPOGRAPHY, from printed Books and MSS. One Part of this Collection will consist of Re-publications of scarce and various Tracts; another of such MS. Papers as the Editors are already possessed of, or may receive from their Friends.

It is therefore proposed to publish a Number occasionally, not confined to the same Price or Quantity of Sheets, nor always adorned with Cuts; but paged in such a Manner, that the general Articles, or those belonging to the respective Counties, may form a separate Succession, if there should be enough published, to bind in suitable Classes; and each Tract will be completed in a single Number.

Into this Collection all Communications consistent with the Plan will be received with Thanks. And as no Correspondent will be denied the Privilege of controverting the Opinions of another, so none will be denied Admittance without a fair and impartial Reason.

* * * This Number contains FOUR PLATES; one of them, the Portrait of Miss D R U R Y, may be had separately, Price 2s.

T H E
H I S T O R Y A N D A N T I Q U I T I E S
O F
H A W S T E D,
In the County of S U F F O L K.
By the Rev. Sir J O H N C U L L U M, Bart. F. R. and A. S S.

L O N D O N,
PRINTED BY AND FOR J. NICHOLS,
PRINTER TO THE SOCIETY OF ANTIQUARIES;
AND SOLD BY ALL THE BOOKSELLERS IN GREAT BRITAIN AND IRELAND,
MDCCLXXXIV.

A D V E R T I S E M E N T.

THE Compiler of the following pages cannot lay them before the Public, without expressing a wish, that he could have rendered them less unworthy of its notice. His materials, as those of an individual must be, were, though not scanty, yet defective in many particulars, and at various periods; nor dares he be confident, that of those which he possessed the best use has been always made. Several little circumstances and hints may have escaped his attention, which others perhaps would have seized, and happily applied; and some of his conclusions may be possibly thought less accurately deduced. He is certain, however, of his design, which is that of contributing his pittance towards the innocent amusement, and happiness, of some of his fellow-creatures. To this purpose, he has not contented himself with tracing the revolutions of property, with drawing out genealogies, and giving a list of the rectors of the church; but has interspersed, wherever he was able, sketches of ancient life and manners; happy, if in his rambles and researches as a Topographical Historian, he can allure into his company the Moral Philosopher, and make him the associate of his journey. He hopes, he has not been entirely disappointed in his views; and that the Reader of the following compilation will be induced by it to set a proper value upon his being born in the eighteenth century, distinguished above all that preceded it by equal and well

executed laws, by civil and religious liberty, and a general civilization and philanthropy. It is not indeed presumed, that the following Essay can be sufficient to set this truth in its full light; all to which it can pretend is, to scatter a few rays upon it; but a County History, conducted on the same plan, would display it in all its splendor.

It may not perhaps be improper to add a few words concerning the order and distribution of this work. The first place was thought due to Natural History, on account of the divine origin of the objects which it embraces. The second was assigned to the Church, as involving many particulars of a sacred and religious nature. The proprietors of land, and its cultivation, fell of course into the third and fourth. Had the Compiler observed, that his precursors in this walk had been unanimous in the arrangement of their materials, he would not have ventured to deviate from that plan; but, as that did not appear to be the case, he thought himself at liberty to adopt such a method as seemed to him most proper.

On the opposite page are corrected some typographical errors, which should not have appeared, if a nearer residence to the press had given an opportunity of a repeated correction of the proof-sheets. There remain unnoticed some few seeming inconsistencies in orthography, which arose from the Compiler's adopting that of the Books or MSS. which happened to lie before him at the time of transcribing.

C O R R E C T I O N S.

P. 3. l. 2. before *South* insert, *the*. P. 4. l. 21. read, *perfoliata*. P. 9. l. 19. after *iiij d.* insert, *of*. P. 27. l. 11. after *Beads* insert, 2. l. 16. expunge, 2. P. 77. l. 7. read, 1647. P. 87. l. 12. expunge, *et i a bosci.* in note 4. read, *summa*. P. 95. l. 20. for *two* read, *eleven*. P. 101. l. 8. read, *Life-estate*. P. 116. note 11 read, 17. Note 3. l. 1. for *or* read, *for*. P. 119. at the end of note 1. read, 324. P. 134. l. 20. read, *Panels*. P. 136. note 2. read, *achievement*. P. 139. l. 24. after *Stafford* insert, *and*. P. 164. l. 6. after *as* insert, *of*. P. 174. l. 10. read *achievements*. P. 182. ll. 11. 14. read, *Siligo*. P. 184. l. 4. read, *Bushels*. Note 2. l. 1. read, *numbers*. P. 207. l. 7. read, *average*.

DIRECTIONS TO THE BINDER.

Plate I. The Church to face page 41.

Plate II. Portrait of Miss Drury, to face page 146.

Plate III. Seals, to face page 156.

Plate IV. The Portable Altar, to face page 142.

The Pedigrees of the CLOPTONS, the DRURYS (which consists of four parts), and the CULLUMS, are all properly paged.

H A W S T E D.

C H A P. I.

N A T U R A L H I S T O R Y.

HAWSTED, in Domeſday book Haldſted¹, is diſtant from Bury St. Edmund's, in the county of Suffolk, between 3 and 4 miles to S.W; and from London about 70 to N.E. It is ſituated in the Hundred of Thingo, in the archdeaconry of Sudbury, and dioceſe of Norwich; and ſurrounded by the villages of Nowton, Great Welnetham, Lawſhall, Whepſted and Horningſheath. The bounds paſs through the north and ſouth doors of Nowton church. It frequently happens in crowded towns, and ſometimes even in the country, that private houſes are ſo ſituated as to have ſome part at leaſt of the perambulating cavalcade, paſs through them: but for a ſacred building in

¹ In Haldſteda. xxviii. libi homines de. iiii. c. tra. 7 Odo ten & . i . caſ
 7 duo clerici. Alboldus & petrus. ii. c. 7 Agenetus. xx. ac ſep iii. uiſt.
 & xxi. bor. Sēp. xiii. c. & . ii . ſerū. 7 . xvi . ac pti. Silua de . iii . porc.
 Hi pot dar & uend tr. f& sac 7 foc 7 com reman Sco. Sēp uaf iiii.
 lib. Ecla de xxx ac libe træ. hit in long. viii. qr. 7 . vi . in lat. & ingel
 xiii. d. 7 oboſ.

Domeſday Book, Fol. 358. a.

the country to be thus circumstanced, is, I believe, very unusual¹. Upon the bounds to S. W. grew some years ago a majestic tree, called the *Gospel Oak*: it stood on an eminence, and commanded an extensive prospect. Under the shade of this the clergyman and his parishioners used to stop in their annual perambulations, and, surveying a considerable extent of a fruitful and well-cultivated country, repeat some prayers proper for the occasion.

Domesday book says this parish contains 13 carucates, or about 1300 acres; and is 8 furlongs long and 6 broad. In both these particulars it is much beneath the truth: it contains about 2000 acres; and if we double the length and breadth, we shall approach nearer its real dimensions.

The surface of the ground is diversified with those gentle inequalities so pleasing to the eye, and in this country so favourable to agriculture. The soil is a light-coloured strong loam, by Nature fertile in pastures and timber; and by cultivation, producing plentifully every vegetable for the use and pleasure of man which the climate will permit. The oak, ash, and maple, are the predominant timber-trees; and these are probably the only original natives. The lime, sycomore, poplar, broad and narrow-leaved elm, beach, walnut-tree, Scotch and spruce fir, oriental and occidental plane-trees (of which only the poplar, beach, Scotch fir and elms² are indigenous of Great Britain), thrive as well as if they were the natural produce of the place. The plane-trees deserve some notice, especially the first sort, which is a native of the Levant, was cultivated near ancient Rome with an excess of fondness, and introduced into England

¹ There was a chapel on a bridge in Droitwich, Worcestershire, through which the high turnpike-road passed, till within a very few years; and the congregation sitting on one side of the king's way, heard the preacher from his pulpit on the other. The congregation obtained leave to take the chapel down about 1763, on condition of building another in a better situation; but this, like other public works, was so badly executed of brick, that it is almost useless already. Nash's *Worc.* I. 329.

² It has been doubted whether the narrow-leaved elm be a native of England. See Mr. Barrington in *Phil. Trans.* 1769, vol. LIX. art. 5.

by lord Bacon, who died in 1627. There are three of them on rather a dry spot a little to south of *the Place*: the largest is 9 feet 10 inches in circumference at 3 feet above the ground; the others are not much smaller: all of them at the height of about 8 feet divide into branches, which spread every way near 20 feet from the trunk. The original ones at Gorhambury are now no more: these are probably not much their juniors, nor exceeded by many in England. One of the latter sort, not far from the others, and also on an elevated spot, has shot up to the height of about 60 feet, with a strait round stem that measures $6\frac{3}{4}$ feet in circumference at 3 feet above the ground. It is a brittle tree, its branches being frequently shattered by the wind. This, says Mr. Evelyn, who calls it the West-Indian plane, and who wrote his discourse of forest-trees in 1662, is not altogether so rare as the other: yet Johnson, who republished Gerard's Herbal in 1636, mentions only the first sort; of which one or two young ones were then growing with Mr. Tradescant. Some wild cherry-trees (*Prunus Avium*) have also thriven in a hedge-row near *the Place* to a considerable size: one about 40 feet high measures 5 feet in circumference at 3 feet above the ground. Some apple orchards thrive well; and cyder is sometimes made, but not excellent. But even the best liquor of that kind would be very ill relished by the common people in this barley-bearing county.

To these more majestic productions of vegetation is subjoined a list of those of more humble growth. Some of them are medicinal; some rare; and few of them perhaps so common as to be found in all parts of the kingdom. Whatever they be, they form part of that gay robe with which the earth is invested: and though we may not be able to discover all their uses, at least they are too beautiful and various to be trampled on unheeded.

Great wild Valerian (*Valeriana off.*) in moist shady places.

Wild Teasel (*Dipsacus Fullenum sylv.*) }
 Small wild Teasel (*Dipsacus pilosus*) } in hedges.

Little Field Madder (*Sherardia arvensis*) in corn.
 Woodroof (*Asperula odorata*) in shady places.
 Gromwell (*Lithospermum officinale*) by the road-sides.
 Moneywort (*Lysimachia nummularia*) in moist places.
 Sage-leaved black Mullen (*Verbascum nigrum*) by the road-sides.
 The greater Periwinkle (*Vinca major*) in hedges.
 Deadly Nightshade (*Atropa Belladonna*) in hedges.
 Great Throatwort (*Campanula Trachelium*) in hedges.
 Autumnal Gentian (*Gentiana Amarella*) in pastures.
 Sanicle (*Sanicula Europæa*) in woods.
 Thorough-wax (*Bupleurum rotundifolium*) in corn.
 Wild Angelica (*Angelica sylvestris*) in woods.
 Bastard Stone-Parley (*Sison Amomum*) in hedges.
 Earth Nut (*Bunium Bulbocastanum*) in pastures.
 Water Hemlock (*Pellandrium aquaticum*).
 Great Burnet Saxifrage (*Pimpinella major*) in woods.
 Purging Flax (*Linum Catharticum*) in pastures.
 Mousetail (*Myosurus minimus*) in pastures.
 Chequered Daffodil, or Fritillary (*Fritillaria Meleagris*) in meadows.
 Meadow Saffron (*Colchicum autumnale*) in meadows.
 Yellow Centaury (*Chlora pulfoliata*) in pastures.
 White Sengreen (*Saxifraga granulata*) in pastures.
 Night-flowering Catch-fly (*Silene noctiflora*) in corn.
 Orpine, or Live-long (*Sedum Telephium*) in pastures.
 Wood Sorrel (*Oxalis acetosella*).
 Agrimony (*Agrimonia Eupatorium*) in hedges.
 Wild Larkspur (*Delphinium Consolida*) in corn.
 Common Columbines (*Aquilegia vulgaris*) in hedges.
 Great Bastard Hellebore (*Helleborus foetidus*) in woods.
 Crested Cow-wheat (*Melampyrum cristatum*) in woods and pastures.
 Wild Succory (*Cichorium Intybus*) by the road-sides.
 Dwarf Carline Thistle (*Carduus acaulos*) in pastures.
 Ploughman's Spikenard (*Coniza squarrosa*) in hedges.
 Pansies, or Heart's-ease (*Viola Tricolor*) in corn.
 Green Man-orchis (*Ophrys Anthropophora*) on dry grassy banks.
 Bee Orchis (*Ophrys apifera*) in pastures.
 Burnet (*Poterium sanguisorba*) in pastures.
 Croswort, or Mugweed (*Valantia cruciata*) in hedges.
 Rough Horse-tail, or Shave-grass (*Equisetum hyemale*) in woods.
 Adder's Tongue (*Ophioglossum vulgatum*) in pastures.
 Hart's Tongue (*Asplenium Scolopendrum*) in shady hedges.

White

White Maiden-hair (*Asplenium Ruta muraria*) on the church, and old walls about *the Place*.

Male and female Polypody (*Polypodium Mas et Fem.*) in shady hedges.

Morel (*Phallus esculentus*) in shady places.

Crimson Cup Peziza (*Peziza coccinea*) on half-rotten sticks in shady hedges.

Beneath the upper coat of black vegetable mould, produced by cultivation, and the successive decay of vegetables, appears the natural soil, a light-coloured loam, which the natives call a clay¹. Of this are made threshing-floors, now not much used for wheat; as also a good mortar, or daubing, for the walls of houses; so that if bricks were made here, as they used to be, there would be few spots that produce more materials towards building a comfortable cottage for a poor man. At about 10 feet deep the loam becomes of a very deep blue colour, and so continues for about 30 feet, beyond which I believe the pick-axe has not reached; for there are no wells in the higher spots of the village. In both these strata are found small snake-stones (*Helmintholitus Ammonites*), crow-stones (*Helmintholitus Gryphites*), and small irregular fragments of chalk almost as hard as lime-stone. Of gravel, there is but little; and that fine, and greasy, good neither for the roads, nor garden walks.

Some pretty rivulets wind through the meadows; and springs rise indiscriminately in the highest and lowest grounds. *The Place*, that stands high, is supplied by a spring that rises still higher at some distance from it: and in a low part of the lane that leads from *the Green* towards Whepsted, is another that rises to a level with the road: it had formerly a margin of free-stone, part of which still remains inscribed;

¹ It is certainly, properly speaking, not a clay, being thickly interspersed with little nodules of chalk, and consequently effervescing with acids.

Jacob's well.
 Empty the sea,
 And empty me.

Its boast is not a vain one; for it was never exhausted during the late succession of remarkably dry summers. Near a farmhouse at *Pinford End*, which stands in a valley, nearly on a level with the last, when a well was dug in 1780, water was not found till the depth of 36 feet. At such very unequal depths are these little subterraneous currents dispersed.

The Land Rail, that scarce, and delicate bird, is found here in autumn.

The air, it should seem, is salubrious, there being no marshes nor stagnating waters to load it with noxious vapours. Nor are the inhabitants subject to any particular maladies. They are remarkably free from coughs: and while the places of worship in the metropolis resound with the labouring lungs of the audiences, in this church

No coughing drowns the parson's law.

Why they are free from this disorder, no better reason can perhaps be given, than that they take no pains to guard against it. Even in winter, one of the church-doors often stands open during the whole service, no one thinking it worth while to rise and shut it. Yet for some reason or other this place is not so favourable to human life as some others, about 1 in 47 dying annually for these last 14 years. But it is to adults that it seems less friendly; for to infant life it is very propitious. In these last 14 years, 188 children have been christened here; during which time only 33 have died under two years of age, which is about 1 in 6. The most prolific year in that period was 1775,
 which

which produced 22 children; not one of which died under two years of age. In great cities, I believe about one third that are born are swept away under that age. The most fatal period here seems the first year.

C H A P. II.

T H E C H U R C H,

AND RELIGIOUS CUSTOMS AND CEREMONIES.

THE church is a rectory endowed with the great and small tithes, subject only to one modus, which will be mentioned hereafter. Its annual outgoings are;

	<i>l.</i>	<i>s.</i>	<i>d.</i>
Tenths (with acquittance 6 <i>d.</i>) - - -	1	4	2½
Procurations due to the archdeacon of Sudbury at } Easter, - - - - -	0	8	7½
One fynodal due to the bishop of Norwich at the } same time (with acquittance 4 <i>d.</i>) - - -	0	1	4
	1	14	2
Procurations due to the bishop on his visitation (with } acquittance 4 <i>d.</i>) - - - - -	0	3	3¼
			1 <i>l</i>

It would be impossible, and perhaps tedious, to give a minute and continued ecclesiastical history of a private church. All that is here attempted, is, to arrange in chronological order such notices on the subject as the author has been able to collect.

We learn from Domesday Book (which was compiled between the years 1081 and 1086) that here was a church at that time: a benefit which, from the silence of that record in this particular, it is probable several villages did not then enjoy. And that this village enjoyed it, might perhaps be owing to the neighbouring monastery of St. Edmund, which was now grown to great power and wealth; for all these religious foundations diffused, as far as their influence reached, every kind of civilization. Its possession in land was then 30 acres, to which, it is remarkable, scarcely any addition has since been made. It has been uninterruptedly appendant to the principal manor from the earliest times of which we have any record to the present: for in 1272 the abbot of Bury St. Edmund's, in right of his wardship of Eustace Fitz-Thomas, the principal lord of the village, let the manor, and advowson, to William de Clifford, the king's escheator, during the minority, in which time the church happened to become vacant, and Clifford presented to it.

The church, as to its present structure, is of no antiquity; nor are there any documents of its ancient state: the description of it therefore shall be postponed to the end of this division of the work.

In 1255, when Walter bishop of Norwich drew up, by command of the pope, the first account of the value of all the church preferments in England (called from him the Norwich taxation) Hawsted was thus rated.

Snaylwell ¹ xxij mrc.——Hauſtede—xx mrc ¹.

¹ What Snaylwell means is uncertain; it occurs regularly through the archdeacons of Sudbury and Suffolk, and seems to imply a different taxation: it was followed twice afterwards. Harl. MSS.

In 1281 Cecilia, the widow of William Talmache, who had been of consequence enough to give name to a manor here, died, and left her son William, and Gilbert de Melton, chaplain¹, her executors; the latter with a legacy of Liijs. iiij *d.* In these early times, and indeed much later, ecclesiastics had great power over mankind: for, exclusive of that superiority, which the lettered will always have over the unlettered, their religious character, as well as the laws in their favour, gave them an opportunity of acquiring a strong influence over the human mind. They could not, however, be executors of testaments without the licence of the ordinary; so that in the present instance a permission of that sort must have been procured. The will itself of Cecilia is not extant: but some particulars of it, as well as some religious customs of the time, may be collected from the chaplain's account, who appears to have been the acting executor, and the state of whose receipts and expences, most fairly written, is in my possession. The following items are taken in the order they occur.

The offerings and dinner of a carter, and two days, on Easter-day, iiij *d.* that is, an *ob.* each for their offerings, and j *d.* each for their repast. The offerings made by masters for their servants frequently occur; so that it should seem to have been a custom. Of the *daye*, who was an inferior servant, something will be said hereafter. The allowance for a repast was probably because they were not domestics, and so did not partake of the festivity of the season at the house.

Wax, that is, wax-candles, bought for the executors and their servants against the feast of the purification of the Lady Mary, vij *d.* This festival was on the 2d of February, and celebrated with abundance of candles, both in churches and processions, in memory, as is supposed, of our Saviour's being on that day declared, by old Simeon, to be "a Light to lighten the Gentiles." On

¹ A chaplain (*capellanus*) was the assistant, or curate, to the rector.

this day were consecrated all the tapers and candles which were to be used in the church during the year. Hence it was also called Candle-mas-day ; a name still familiar to us.

To the sacrist of St. Mary's church at Bury, to pray for the lady's soul, *ijd.* One mass celebrated for the soul of the lady, and a ringing for her soul at Hawsted, *iiijd.* The same at Bury, *iiijd.* The ringing of bells was no inconsiderable part of the ceremony at ancient funerals, and is still continued among us. The design of it was, that the living might be put in mind to pray for the soul of the departed. Old wills abound with legacies for these ringings.

A pair of shoes to a priest for assisting Gilbert the chaplain in celebrating mass for the lady's soul, *ijd.* A pair of shoes, as well as of gloves, seems to have been a common present of old. In one of archbishop Mepham's constitutions in 1328, where mention is made of those who obstructed the payment of tithes, it is said, "others consume and carry away, or cause damage to be done to such tithes, unless gloves or shoes be first given or promised them¹."

Our ancestors, when they ordered religious services to be performed for their souls, not only left money, but frequently also victuals and drink, to the performers. In a will dated 1506 is this: "Item, I will myn executors, as sone as it may come to ther knowledg that I am dede, that they make a *drynkyng* for my soule to the value of *vjs. viijd.* in the church of Sporle²." In 1526, *vjs.* were left for *bread and hale* to be spent in the porch (that is, chapel) of St. John, after the Dirige³. And in 1531, land was tied by will for brewing 6 bushels of *malt*, baking 3 bushels of *wheat*, and buying *ijs.* worth of *cheese*, annually on the Monday in Easter week, for the relief and comfort of the

¹ Johnson's Eccl. Laws, 1328, 7.

² Hist. Norf. vol. III. p. 443.

³ Hist. Westm. and Cumb. vol. I. p. 613.

parishioners of Garblesham, “there being a dirige,” says the testator, “on the said Monday, to pray for my soule¹.” These repasts at funerals, and at other memorials for the dead, were charitably designed, as is expressed in the last extract, for the relief and comfort of the poor, who were doubtless expected to assist with their prayers: it is probable, however, that they often ended, as many festivities do, in a manner very little akin to the piety with which they began. The custom, however, will explain the reason of the various articles of food that occur among the following items, ranged under the title of, “Monies paid to divers persons for divers things bought for the funeral of the lady Cecilia.”

To Henry Belcher, of Bury St. Edmund’s, for fish and herrings, ix s. To Allan Fouks for pikes² and eels (*piks et anguillis*) xxvj s. For cups and dishes, &c. xiv s. vijd. ob. To Thomas Fitz-Thomas, of Heyham, for rabbits, xij s. To Ralph le Smeremonger for meat (*carne*) xx s. To Adam le Seper Cook for poultry (*volatilibus*) iij s. in part. To bailiff Alexander de Walsbam for xvj geese, iij s. vijd. To John Stowe for wine, xxxiij s. vjd. To a baker of Bury St. Edmund’s for wastle bread to make mortarrels³ (*pro gastellis emptis die sepulture domine pro mortarellis inde faciendis*) iij d.

The bakers at Bury had 2 quarters and 2 bushels of wheat delivered them to make bread for the poor there.

¹ Hist. Norf. vol. I. p. 183.

² This is an instance of this fish being in England long before the reign of Henry VIII. when it is said to have been first introduced. The author also of Fleta, who wrote in this reign, mentions it; and because the passage is curious, I will transcribe it: “Piscarias suas quisque discretus Bresmiis et Perchiis faciet instaurari; sed non de *lupis aquaticis*, Tenchiis vel Anguillis, qui effusionem Piscium nituntur devorare.” L. ii. c. 73.

³ A mortarrel was made of wastel bread (which was one of the better sorts) and milk. It was one of the messes for the poor people of St. Cross’s Hospital near Winchester. Lowth’s Life of Wykeham, p. 68.

To Thomas Battenford for cloth for black coats, xxxs. in part. To Thomas Fuller for white cloth for the poor, xvs. in part. To John Camp, of Bury St. Edmund's, furrier, for furs for the black coats, viijs. xjd. To John de Northfolck for mending the cloaths of the poor people, iijs. To Margery Ely for beer ¹ for the burial, xixs. xjd.

The cloathing of the poor was a judicious act of charity, as it could not well be abused. We should now, indeed, think that a black coat bestowed on a poor person wanted not the addition of fur: such however was the fashion of the time; and a sumptuary law of 37 Edw. III. allows handicraft and yeomen to wear no manner of furre nor of bugg, but onely lambe, coney, catte, and foxe.

If this comfortable provision was made for the bodies of the poor, the following charges shew that no small cost was bestowed on the lady's own person. To the chandler (*candelario*) of Bury St. Edmund's in part, ixs. ijd. To John Sencle of the same, for wax and divers spices, iiijl. iijs. ijd. To Alexander Westlee of the same, for fine linen and silk, and other necessaries for attiring the lady's body (*pro sindone et serico et aliis necessariis pro corpore domine attiliando* ²) xxxijs.

The *chandler* was the person who made and applied the cerecloth. Elizabeth Tudor, second daughter of Henry VII. was cered by the *wax-chandler* ³. And in a MS. ceremonial of the funeral of queen Mary, daughter of Hen. VIII. in the College of Arms, we are told that the *officers of the chaundry*, and the *clerks of the spicery*, came and *cered* the queen with linen cloth,

¹ It is well known that the art of brewing was formerly exercised by women; as it is to this day in Wales. See Mr. Barrington on the more ancient Statutes, p. 54.

² Du Cange has *attilium* and *attiliamentum* for the attelage, equipage, or harness of horses, and other beasts of draught, and of ships. The verb does not occur. I know not how to translate it better.

³ Dart's Westm. Abb. vol. II. p. 28.

wax, and with a number of spices very costly ¹. These quotations sufficiently illustrate the meaning and design of the last three articles. The silk was probably designed as an envelope for the corpse after it was embalmed.

This embalming, when considered as performed for a private person, is a striking instance of the costly extravagance of funerals at this time. The bills relative to it (and one of them not fully paid) amount to *vj l. vs. iiij d.* Now this year, which was not a cheap one, the highest price of wheat was *iiij s. viij d.* a quarter. Rating it therefore at the average price of *iiij s. vj d.* this embalming cost as much money as would purchase about *xxvij* quarters of wheat, which at this time are worth about *lx l.*

The stipend to Sir ² Gilbert de Melton, chaplain, for celebrating masses for the lady's soul, from Easter to Michaelmas, *xxxiiij s. iiij d.* This would purchase just 200 masses, at *ij d.* each. A mass and a ringing was *iiij d.* as we have seen before.

The distresses in which Edward III. soon involved himself by his foreign wars, bring us acquainted with the value of this rectory at that time. In the parliament which met in March 1340, the prelates, earls, barons, and knights of shires, granted the king for two years the ninth sheaf, fleece, and lamb. The contribution which this village was to make, is thus recorded in the Rot. None Garbarum, &c. taken 14 and 15 Edw. III. at Henhow, near Bury, before the abbot of Leyston, Nic. de Laste, Roger de Tode, Phil. de Risby, Thomas de Ashe, John Deneyt, and others, jurors.

¹ Archæolog. vol. III. p. 401.

² This is the only time he has the honourable distinction of *Sir* prefixed to his name. It was a title of respect given formerly to several persons besides knights: as Sire Clerke, Sir Monk, Sire Man of Laws, &c. in Chaucer; and so frequently bestowed on priests, that it has crept even into acts of parliament. Tyrwhitt's Glossary to Chaucer.

They say that the church of Hauftede is worth xiiij*l.* xiijs. iiij*d.* They say that the value cannot be extended this year: and they say that the ninth part of the sheaves, fleeces, and lambs, is worth this year cxiijs. iiij*d.* and no more, because the rector of the church holds divers possessions (*tenementa*), consisting of lands, meadows, pastures, rents, with the tithe of hay, and other small tithes, the great tithes and offerings, which are worth yearly ix*l.* as is represented by six men of the said village, on their oaths, viz. Robert Aldred, Nich. de Areford, Adam de Wrighet, Walt. Coe, Hugh Raifon, and John Lambard.

In 1358, the customary tenants paid their lord at Christmas a small rent, called offering-silver. Eleven of them paid in all xviiij*d.*

In 1386, the Christmas-offerings, made by the master for his domestics, were much increased: for then they were xiiij*d.* for 7 servants. And the candles bought for them against the purification of the Lady Mary cost v*d.*

In 1387-9-90, the same sum was paid, and called *clothing-silver*. I know not the design of this payment.

In a deed of 1399, mention is made of a cross in Pinford Street.

In 1448, one of the outgoings of the manor was, *pro Rome-scot*, ijs.

From the middle of this century are preserved several wills¹ made by the inhabitants of this village, and which exhibit to us several religious customs and modes of thinking that prevailed in former times. From their general tendency, they were evidently the manufacture of ecclesiastics; the duties of whose office called them to the bed-side of the sick, who frequently (as is

¹ They are lodged in the registrar of the archdeaconry of Sudbury's office at Bury: and I am happy in this opportunity of acknowledging the liberality of Mr. Ilham Dalton, the present registrar, in permitting me to make such extracts from them as I thought proper—without a fee.

usual at all times) deferred executing this solemn act to that season, when the mind, intent upon futurity, was little anxious about the disposition of temporal riches, except as the means of purchasing that happiness, which it was thought they could procure in another state. Even if the sick man had wished to decline the interference of a religious, he could scarcely have done it; for his physician was ordered by an ecclesiastical law, first effectually to persuade him to call for the physicians of the soul, that when his patient had taken spiritual cure, he might with better effect proceed to bodily medicines: and laymen were often to be dissuaded from making their wills without the presence of a parish priest, as they desired their wills to be fulfilled'. Nay, it should seem as if the religious expected a third (or some other part, according to circumstances) of the moveables of those that died intestate, and which they ought to have bequeathed for pious purposes¹.

Margery Muryell of Haufted, widow, made her will Dec. 12, 1451; and her first bequest was iijs. iiij*d.* to the high altar of the parish church there for tithes forgotten. She then bequeathed xiijs. iiij*d.* to the fabric of the church; xls. to be spent on her burial day, in victuals and drink for the poor and her neighbours; v marcs to be reserved for celebrating her obsequies, the day of her death, for xx years, being iijs. iiij*d.* for each anniversary, to be expended in works of charity for the health of her soul, and of those of her parents and benefactors deceased; vjs. viij*d.* towards the repairs of the common way² at Herdwick; and iijs. iiij*d.* towards those of the king's common way in Haufted, opposite the tenement of Robert Pyper. To her god-daughter (*filie spiritali*) Margery Fuller, vjs. viij*d.* all her beds

¹ Johnson's Ecclef. Laws, 1229—1236.

² Id. 1261. 15.—1268. 23.

³ Such legacies were very common in former times before any effectual laws were made for the repairs of the high-ways.

and cloaths, and such a girdle as she should choofe. To another god-daughter, a ſheep. After bequeathing 3 more ſheep and xij*d.* each to 3 perſons, and half a marc to a poor woman; ſhe appoints two executors, with a legacy of half a marc to each for their trouble; and directs them, that with the conſent and advice of John Clopton, eſq, they diſpoſe of all the reſidue of her goods and chattels in charitable works, for the welfare of her ſoul, and of thoſe for whom ſhe was bound to pray.

In 1452 Alice, the widow of John Bokenham, late of Hauſtede, gentylman, bequeathed iij*s.* iiij*d.* to the high altar of the church there. Alſo v marcs to a proper chaplain to ſay maſſes in the ſaid church a whole year for her ſoul, and for that of her huſband; and for the ſouls of thoſe for whom ſhe was bound to pray. To Richard Borle, gentylman, a black coat; the ſame to his wife. To John Makeroo, a black coat, and one of kendal. To Iſabel Stanton, her ſerving-maid, a black coat, one of a green colour, and two veils—*flammeola*. The reſidue of all her goods ſhe left to be diſpoſed of by her executors, as they ſhould think proper, for the welfare of her ſoul, of her huſband's, and of thoſe of all her benefactors. Proved at Fornham St. Martin ¹, Oct. 2, 1452.

In 1480 John Meryell, junior, of Hauſted, bequeathed his ſoul to God Almighty, and to our Lady Saint Mary, and to all the holy company in heaven, and his body to be buried in the holy ſepulchre, that is in the cherch yerd of Hauſted. He left to the high altar there xij*d.* for tithes forgotten: and to the friars of Babwell to pray for his ſoul a trental of maſſes ², x*s.* This is in Engliſh.

Babwell

¹ A village two miles from Bury. The wills of this neighbourhood were generally proved in that church, as the abbot of Bury would not ſuffer the archdeacon of Sudbury, or his deputies, to exerciſe any act of authority within the town.

² A trental of maſſes was, as its name implies, thirty maſſes, performed either
one

Babwell was about one mile out of the north gate of Bury. Some ruins of it still remain; and a house built within its precincts retains the name of *the Friary*. These friars were first settled near the abbey, but displaced by the monks, who every where held them in abhorrence. They were, however, great favourites with the people in general; for in turning over a multitude of wills, I observe they had frequent legacies left them. And in one of the accounts of the bailiff of this manor, in the time of Richard II. there is the payment of a carter for fetching tiles for them from Sudbury, which was 18 miles from their house. They assisted the sick (says Sir William Dugdale¹) in making their testaments; which accounts for their appearing so often in them.

Robert Parker of Hawsted, in 1492, bequeathed his soul to Almighty God, &c. and his body to be buried in the holy sepulture; and to the high auter in the cherche, in recompence of his dewes too little paid, and for the helthe of his soul, ijs. vjd. To Margaret his wife all his hostiliaments², utenselys, and jowellys³, to his house pertaining.

His son Henry Parker soon afterwards ordered a priest to sing for his soul a year after his decease: a quarter in each of the two years next following, and half a year in the third.

In 1493, Roger Drury of Hawsted, Esq. being in hole mende, and belevyng as God and the church wuld he shuld, made his testament. Such a profession of orthodoxy was not very common: but some of the enemies of Lollardism might think it necessary, or decent, to profess in their wills the steadiness of their faith, especially in this reign, which was particularly unfriend-

one a day for 30 days together, immediately after the burial; or all together on the 30th day. When the testator was so poor that he could not afford a whole trental, he sometimes ordered half a one. Thirty seems to have been a favourite number in these posthumous ceremonies. The thirtieth day, or month's mind, frequently occurs in antient wills.

¹ Warwickshire, p. 113.

² *Hostiliaments*, mean *Stuff of Household*, as it is expressed in the wills of Sir Roger and Sir William Drury, that will be recited hereafter.

³ *Jocalia*; any valuable furniture, or utensils.

ly to the doctrines of Wickliff. He left c marcs to maintain a scholar of divinity at Cambridge for x years, who was to preach once a year at Bury, and once at Hawsted. But if he declined preaching, he was to have but vij marcs yearly. He had a well-furnished chapel in his house, as will farther appear by his will, which will be given at length.

In 1503 Johanne Cowper, late wife of William Cowper of Hawsted, among other legacies bequeathed to her son John one "acre of land errabyll, lying at Wynefmere Hill, under the "condycion that he fynde a lampe before the roode in the "cherche of Hawsted, with the rent thereof as long as he leve. "—and yff it may be re red, then I wyll that the foreseyd "John Cowper fynde it, or ellys it to be fonde as long as the "worlde stonde."

Wiser people than Johanne Cowper could not, at that time, foresee for how few years their pious legacies would be applied to the purposes for which they were left. This piece, 25 Henry VIII. was in her son Thomas, who then enfeoffed Robert Drury, Esq. and several others in it, without declaring the uses to which it was to be applied. It was then called *Lamp-land*, a name it retains to this day, and belongs to the parish. The rood before which this lamp was to hang, was the representation of our Saviour on the Cross, with the Virgin Mary on one side, and St. John on the other, placed on the top of that wooden screen of Gothic work which still divides the church and the chancel. This screen, from the use above-mentioned, was often called the *Rood-loft*; and from its being latticed, or cancellated, gave name to the chancel.

The revenues left for the support of lamps and candles must have been of considerable profit to the church. Not only the images of saints had lights burning before them, but the graves of those who could afford it were beset with them, either occasionally, or constantly. The dirty vapours issuing from these lights begrimed the very objects they were designed to embellish; —*fæda nigro simulacra fumo*. Whoever has been in Roman

Catholic

Catholic countries must have observed this effect, particularly in the small chapels : nor are the fumes produced by the flames of so many unctuous bodies either agreeable or wholesome : though this is a little remedied by the incense-pots that are tossed about, during some parts of divine service.

In 1506 William Wyffin the older willed, that an honest prest should synge for his fowle, and all his good frends fowles in the chirche of Halstede, be an hole yere, takyng for hys sty-pend as his executors and he should agree. Item, he beqwethed to the fryers of Babwell to pray for his fowle, iij*s.* iiij*d.*

William Clark of Hawsted in 1512.—Item, I will that they doo for me and my friends xx*s.* at my buriall daie and yeerdaie.

Robert Legat, who died in 1526, is the only testator who bequeathed nothing to pious uses, though he left his two daughters xx*s.* each. And this is the more remarkable, as the Reformation was but now beginning to dawn. Soon after, indeed, religion was so unsettled, that testators were often afraid of leaving any pious legacy ; and when they did, the more cautious ones frequently subjoined the condition, “ if the laws would let “ it stand good.”

In 1528, Robert Wefyn of Halsted.—The residue of my goods not wylled, I wyll that my wyffe have them to bryng me honestly to the erthe, and in dedes of charite.

The same year William Wyffin.—Item, I will that the xxvj*s.* viij*d.* that my sone Robert owes unto me, I wyll that a prest shall have it for to synge a quarter for me and hym in the chyrche of Halsted.

In 1533 Alen Legett, who seems to have had considerable property here, among other things a house called *Morelles*, left iij*s.* iiij*d.* to the high altar, and legacies to his children ; and if they should die without lawful issue, “ than I woll that yt be “ towlde (tolled, or rung) and don for me and my wiffe, and all

“ Christen fowles in dedys of charyte, and to the scherche, and “ of heyweys, and to pore peple.” He bequeaths also to the reparation of the church xls. “ and the seyd Alen Legett hath gevine up all and tytyl in the *Cburche-houffe* of Hawstede, otherwisse callid the *Gylde Hall*, in the hands of John Macrowe and Thomas Wyffine, to the use of the towne.” William Eglyn, the parson, was one of the witnesse; the canon law requiring, that the parish priest, or the proper curate, if it conveniently might be, should be one of the witnesse to a will.

The *church-house* (as it is still called) or Guild-hall, is close to the church-yard, and continues the property of the parish, being within a few years converted to a work-house.

A guild-hall (a name still familiar to us) was a room where a society, or brotherhood, met. These societies were formed for the advancement of charity, religion, or trade, and called gilds, or guilds, from a Saxon word, signifying money, because every member contributed some money towards the support of the brotherhood to which he belonged.

The little *Parochial Guilds* were sometimes so poor, that they could not afford to have a room of their own, but met at the members' houses. In general, however, they were in a better condition, and possessed or hired a house near the church, which was called the Guild-hall, or Church-house. This situation was convenient for them, as their business was to pray as well as eat. They consisted of an alderman, brethren and sisters: the parson of the parish, and the principal persons of the neighbourhood, were generally members. They had lands, received legacies, &c: they frequently met; but their grand assembly was on the day of their patron saint, when they went to church, and offered up their prayers at his altar for all the members of the society, both living and dead. From this saint they took their distinction,

as

as St. Thomas's guild, St. John's guild, &c. They bestowed annual salaries upon the poor, received travelling strangers, and did other acts of charity, as far as their revenues allowed. Their meetings were crowned by a dinner, and ended frequently in a manner not very consistent with their beginning.

Of these guilds Mr. Blomefield in particular, in his History of Norfolk, has preserved many records, which shew the design of their institution, and exhibit a lively picture of ancient manners. Of that in question I find no memorial, except on a perishing fragment of paper in the church chest, dated 15 Apr. 1637.

Certayne goods in the Gilde Hale.

Imprimis, 6 plaunkes for 3 tables, with treffels that they ly on, and 2 formes.

Item, 2 large spits.

These were doubtless the wreck of the former furniture, and were used, as tradition reports, besides at the meetings of the brotherhood, at the celebration of the nuptials of the poor people, who sometimes here held their wedding feast, which was occasionally honoured by the presence of the principal persons of the village, who, from a gallery at the end of the large room, took a view of the rustic merriment on the unpaved floor below.

From these ancient guilds are derived our *modern clubs*, which, in some of the distant parts of the kingdom, where manners are slow in changing, still retain very strong marks of their origin. Of this I have a curious instance now before me in the "Rules and orders agreed on by the Good-Intent Society, meeting at the house of Richard Treeve, inn-keeper, in Sennen¹ Church

¹ Sennen is that extremity of Cornwall, which is commonly called *the Land's End*.

" Town,

“ Town, in the county of Cornwall, begun the 2d day of May
 “ 1778.” From a copy of these, with which the landlord him-
 self presented me in 1779, I shall select a few particulars, which
 have such an air of ancient piety and rude simplicity, that they
 might well pass for the ordinances of a guild 3 or 4 centu-
 ries ago.

The grand object of the society is by a monthly contribution
 of 1s. by every member, to provide for such of the body as shall
 be sick or infirm.

“ If any member shall be afflicted with the *venereal disease* or
 “ *itch*, or shall receive any hurt by attending *smugglers*, *officers*,
 “ *bailiffs*, or through *drunkenness*, *quarrelling*, or any other thing
 “ of his own seeking, he shall receive no benefit for such mis-
 “ fortune from the club.

“ Every member is to attend the *funeral* (the expence of which
 “ is not to exceed 3 pounds) of a deceased member; and is to
 “ meet an hour before the time appointed for the funeral, to *at-*
 “ *tend the corpse to church and interment*, then *return to the club-*
 “ *room*, and *spend two-pence each* member, then depart the room
 “ on forfeiture of three-pence.

“ No bailiff, bailiff's follower, soldier, major's serjeant, or ap-
 “ paritor of the spiritual court, shall be admitted a member.

“ If any member appear in the club-room *disguised in liquor*
 “ he shall forfeit six-pence.

“ If on any extraordinary occasion the stewards shall summon
 “ all the society together, each member shall then, and at all
 “ other times, *expend for his club two-pence*.

“ If any member *shall profanely curse or swear*, he shall for-
 “ feit six-pence for each offence therein. If any member shall
 “ *brawl*, sing songs, or refuse to keep silence at the steward's
 “ command, he shall forfeit four-pence. If any member shall
 “ *give scurrilous and abusive language* to any other member, he
 “ shall

“ shall forfeit six-pence. If any member shall *strike* another member in the club-room in club hours, he shall forfeit five shillings, or be excluded. If any member shall be *guilty of theft*, he shall be immediately excluded: or if any member shall live *a scandalous and base manner of life*, he shall be excluded.

“ The society shall have *an annual feast* on 25 June (except it happens on a Sunday, and then on the day following) at the house of the said John Treeve, where every member shall meet at 9 o'clock in the forenoon, and then *proceed in an orderly manner to the parish church of Sennen to hear a sermon*, preached by the minister, who shall be allowed half a guinea for the same; then return in the same manner to the club-house, where a dinner is to be provided at one shilling a head: the expence of the whole day, including dinner, is not to exceed one shilling and six-pence.

“ *No woman to be admitted a member of the society, nor shall come into the room in club-hours, the mistress or the maid of the house excepted, or to pay for an absent member, and to depart in a quarter of an hour: and if they abuse any member, the person who was the cause of their coming shall forfeit three-pence.*”

It would be curious to contrast with the above some extracts from the code of laws, by which some of the clubs in the neighbourhood of St. James's are regulated.

In 1536, Henry VIII. caused a valuation of all ecclesiastical preferments in England to be made. This rectory was then rated at xj*l.* xv*js.* x*d.* ob. its present valuation in the king's books. About the same time a composition probably took place between the patron and the rector for the tithes of the park, which was enclosed in this reign. In the reign of Elizabeth, the payment was a buck and doe, in lieu of tithes for the demesne lands. Af-

terwards vijl. a year, under the name of a modus. Since the park has been converted into a farm, so much of it has been broken up, that vijl. a year becomes nearly an adequate composition for the tithes of the remaining pastures, for which only, and not for the demesne lands in general, the modus has, for this last century, been understood to be paid. To answer a private purpose, the mention of this modus was omitted in the terrier made about 60 years ago, and preserved in the church chest. It was however acknowledged by my predecessor; and will, I trust, be never thought an object worth disputing.

Alice Semar, widow, of the town of Hawsted, in 1552, bequeathed to her sister Anas, xls. of lawful money of England, and her best gown and best kirtle¹. To Cecily, the said sister's daughter, a red petticoat. To Hawsted church, to the building of the roof, xs. To eleven poor householders in Hawsted, which she named to the rector thereof, xis. To John Baker's daughter, god-child to her husband, xijd. Also to *Sir William Sebotson, parson of Hawsted, her curat*, xxd. Witnesse, William Sebotson, and John Macrow, of Hawsted.

Proved in the church of Fornham St. Martin before Thomas Symonds, clerk, commissary and official within the archdeaconry of Sudbury, 17 Oct. 1552.

Rose Sparke, of the township of Haulsted, widow, in 1553 directed her executors to bestow at her xxx^{tie} day² xx s. with mass and dirige: and that poor people should have other xx s. among them shortly after her xxx^{tie} day. She bequeathed to Rose Sparke, her son Rauf's daughter, a bullock, a brass pot, and

¹ The kirtle was the garment under the mantle. The latter was a loose cloak fastened at the neck or breast. Even our best lexicographer has called them both upper garments. The difference is well ascertained by Sandford, in his *Geneal. Hist.* p. 322.

² Called, *month's day*, in the will of Margaret countess of Richmond. Elsewhere, *month's mind*.

her

her second gown. To Roger Cowper, her godson, ijs. To Robert Sparke, her son, her best feather-bed, with all thereto belonging. To young John Sparke, her grandson, her second best feather-bed, with all thereto belonging. To Audrey, Agnes, and Robert Sparke, her grand-children, a cow amongst them. To her son John her *buffed stool*¹. To Rauf her son's wife, her best kirtle. To her sister Anne, her round gown. To John Sparke's wife, her best hook². To a grand-daughter, her second hook. She made her son Robert executor, and Thomas Cowper to be to hym a guide and a helper, and to see her will fulfilled. Witness, William Sebotson, her curate, Rauf Sparke, Edmund Randall.

Gyles Wyffin of Hawsted, husbandman, being of whole mynde and perfect remembrance, for which he thanked Almighty God, made his last will in 1554, and directed the charges of his funeral to be done honestly by the direction of his executors. He bequeathed to the high altar, for his tithes forgotten and negligently paid, ijs. iiij*d*. After leaving his principal property to his wife and children, he adds: Item, I give to Alice Stuarde, my god-daughter, to the preferment of her marriage, vjs. viij*d*. And to Elen Stuarde, her sister, a yearling calfe for a remembrance. The residue of my goods, cattels, with all my stuff of householde and utensells, I give wholly to Elyn my wife, to bring me honestly to the yerthe, and paying my detts. And I will also, and charge my said wife, that she kepe, or cause to be kept, a yearly obyt for my sowle, by the space of three years next after my decease, expending yearly for the same vs. And

¹ A buffed stool is an oval wooden stool without a back. A hole is generally cut in the seat for the convenience of taking it up. Common in country-houses. Used also to set a child's coffin upon in church.

² The hook, worn at the bottom of the stays, is still in use, to regulate the sitting of the apron.

I make and ordayne executors the fame Elyn my wife, and Marten Gyllye; and Edmund my son to be supravisor; and I give to every of them for their labour and paynes iijs. iiij*d*. These being wytness, Sir William Eglyn, clerke, William Adams, Henry Wyxe, Thomas Rutlecke, and Edmund Matyward, with other. And in further wytness hereunto I have put my seale.

Thomas Green of Hawsted, husbandman, in April 1555, bequeathed his soul to Almighty God, and all the company in heaven, without one religious legacy.

John Macrow, of the township of Hawsted, husbandman, in August 1557, bequeathed his soul to Almighty God, and to his blessed Mother, our Lady Saint Mary, and to all the company in heaven. He gave to the high altar, for his tithes and oblations forgotten, xij*d*. He had property at Hawsted, Great Welnetham and Bury; at which latter he gave his house and yard to Robert his son. His wife's name was Alice, to whom, among other things, he gave one of his best pots, the bed he lay on at that time, and a chyft with all that was in it, except a payre of beades that was his first wife's, and which he gave to Anne, his daughter. He has no particular religious bequest, saying only at last, "the residew of my goods not gyven or bequethed, I put them "to the disposicion of mine executors." William Sebotson, parson of Hawsted, was one of the witneses.

A pair of beads mentioned above was a set of strung beads which our ancestors used as a mechanical help to ascertain the number of their prayers. They had their name from a Saxon word, which signifies to pray. Sometimes they were called a pair of Pater-nosters. A pair, or set, consisted of various numbers of pieces from 30 to 70, and perhaps more; besides that, every tenth was succeeded by one larger and more embellished than the rest; these larger ones were called *gaudes*. So Eleanor, duchess

duchefs of Gloucester, who died in 1399, bequeathed a pair of Pater-nosters of 50 pieces of coral, with 5 *gaudes* of gold¹; another pair of 30 pieces, with 4 *gaudes* of jet; a *gaude* beginning and finishing the set. So Chaucer,

Of small coral about her arm she bare
A pair of bedis, *gaudid* all with green.

They were also frequently worn dependant from the girdle, as may be seen in some old portraits, and in monumental sculptures; of the latter I have fac-similes, which distinctly shew the *gaudes*. Even the girdle itself, when studded, seems anciently to have served for a pair of beads; as I have been informed some finger-rings have done when set round with stones. The *gaudes* were for Pater-nosters, the common beads for Ave Marias.

These devotional trinkets were often blessed by the pope, and as such were forbidden to be brought into the realm, 13 Elizabeth². Some of them are still preserved in the cabinets of the curious: they are of various materials and workmanship; some are extremely valuable; particularly a set belonging to the duchess dowager of Portland, who possesses an immense collection of curiosities both natural and artificial, with an intelligence excelled by none. It consists of 32 pieces, which are plum-stones about half an inch long, on which are exquisitely carved the heads of Roman emperors, heathen deities, &c. from antiques. The lowest represents the bust of a pope, on whose cope are the figures of St. Peter and St. Paul, executed with such minuteness and delicacy as to require and well bear a glass. This pope is supposed to be Clement VII. to whom these beads are said to have belonged, and which are judged to have been the work of Benvenuto Cellini.

¹ Royal Wills, p. 180, 182.

² Johnson's Eccles. Laws, 816, 10.

Sir William Drury, in Dec. 1557, bequeathed his soul to Almighty God, our Lady Saint Mary, and to all the holy company of heaven; and his body to be buried in the church of Hawsted, after and according to his degree, by the direction of his executors.

It is needless to give any more extracts from wills, as those already adduced sufficiently delineate the manners of the times, as far as they can be collected from these documents: and as the reformation of religion, which was soon to be confirmed, obliterated their leading character, and threw them much into that cast in which they at present appear.

In perusing the above wills, the circumstance that must first strike, is the abundant piety that pervades almost every one of them. They generally begin with a legacy to the high altar, and conclude with leaving the residue to be disposed of in works of charity, according to the discretion of the executors. With regard to the kind offices that were to be performed for the souls of the deceased, the testators seem to have shewn as great a variety of fancy, as they could have done in their dress, or the furniture of their houses; scarcely any two agreeing in the same mode of these religious services. That they should be extremely solicitous about their performance cannot be wondered at, when we consider of how great value they were taught to believe them. The salvation of the soul was thought to depend upon them. And even if some of better understanding had harboured some doubts about their efficacy; still the expectation of being barely remembered after death, is so soothing and flattering to the human mind, that we cannot be surprized at the care and expence bestowed upon these posthumous attentions. We should therefore be reserved in our censures on this custom of our ancestors: if we cannot but pity their too easy faith in believing that the prayers of the living could benefit the souls of the dead, still
however

however we must allow that they gratified one of the fondest wishes of the heart of man, that of surviving, as long as we can, in the memory of others. With this view, we still erect to our departed friends the monument in the church, or the still more perishable memorial in the church-yard, in hopes that our survivors will bestow the same upon us : and the ancient month's mind, when divested of all superstition, and the modern mourning-ring, both speak the same language.

Besides, though prayers for the dead could do them no service, they might still be useful to the living. For the person who prays with earnestness and devotion for another, must necessarily reduce his mind to such a serious and collected state, as must be very favourable to his own spiritual welfare ; so much truth is there in the old rhyming distich ;

Qui pro alio orat,
Pro se laborat.

It is far from my intention to become the apologist for prayers for the deceased : I would only set them in their proper light. The unprejudiced part of mankind have no doubts of their inefficacy to the purpose designed. They were often performed (if we may judge from what may now be observed in Catholic countries) in a manner very far from devout ; and money was frequently left for them, which ought to have descended to necessitous relations.

The thanking the Almighty for the blessing of a sound understanding, when a man was about to perform one of the most serious acts of his life, was surely not an ill-timed gratitude. Not less proper seems to have been the commendation of the soul to those powers, who were supposed to be the guardians and patrons of human happiness, when a deed was to be executed, which was to take effect immediately upon the separation of that soul
from

from the body : an event of the utmost importance to man, and which generally was likely soon to take place. It seems, as if we now thought, that these were the effusions of an excessive devotion. Even a bishop can now make his will without mentioning the name of God in it : while, by a strange perverseness, a treaty of peace between two belligerent powers, which, they and all the world know, is nothing but a rope of sand, begins, “ In the name of the holy and undivided Trinity.”

The relationship between sponsors and their god-children, who were called *spiritual sons and daughters*, was formerly esteemed much more sacred than at present¹. The presents at christenings were sometimes very considerable : the connection lasted through life, and was closed by a legacy. This last mark of attention (even still not quite disused by some old-fashioned people) seems to have been thought almost indispensable. For, besides the instances above-cited, in a will from which no extracts have been given, the testator left every one of his god-children a bushel of barley. This was in 1469, when the legacy was not worth above *iiij d.* or *iiij d.*

The wish of our forefathers to be brought honestly to the earth, and to be buried according to their degree, is now much fallen into disuse. The funeral expences of former times are now diverted into other, perhaps not better, channels. Nothing is now more common than to read of the private interments of persons of the first distinction. The lifeless carcase, it is said, is of no value, and therefore cannot be committed to the ground with too little expence. But surely it was lately the residence of a noble inhabitant : and we view, and treat with reverence, even the tattered garment of an illustrious person, long since departed. Besides, though the corpse itself be insensible of the honours

¹ There were even some ecclesiastical laws that forbade the marriage of spiritual relations. Johnson, 740, 129—1009. 8—1017. 7.

bestowed upon it ; still, however, those honours express the grief and respect of the surviving relations, and may make proper and lasting impressions upon the attendants. A funeral, with all its “ pride, pomp, and circumstance,” is one of the most eloquent lessons of morality.

From the very small importance of some of these wills, it should seem, that to make a will was the fashion of the times, and a ceremony thought proper for the last scene of life. Otherwise one would have thought, that a dying person’s request to some of his nearest relations and friends might have secured the expenditure of a few shillings for the welfare of his soul. Thus Elizabeth, the widow of Edward IV. seems to have judged this formality necessary. She expressly declares, that she had been plundered of all her possessions by her son-in-law, Henry VII. and that she had no worldly goods to do the queen’s grace, her dearest daughter, a pleasure with, nor to reward any of her children : yet she makes her testament with all due solemnity ; appoints three executors, and requests her daughter the queen, and her son, the marquis of Dorset, to put their good-wills and help to its performance ¹.

About the beginning of the reign of Elizabeth, there was a custom (not yet quite abolished) of recording the funerals of persons of distinction in the Herald’s College ². Among the entries of this sort is the following :

Mem. That the right worshipful Sir Robert Drury, of Hawsted, in the county of Suffolk, knight, married Anne, daughter of the worshipful Sir Nic. Bacon, of Redgrave, in the county of

¹ Royal Wills, p. 350.

² The last but one of these entries is for the late duke of Kingston, in which it is certified, that his obsequies were performed with all due solemnity, “ except the attendance of the officers of the College of Arms to marshal the funeral, which, on account of his grace’s decease at Bath, and the great affliction of his most noble duchess, was not recollected by her grace till too late to prepare the ceremonial. E. KINGSTON.”

Suffolk, knight and baronet; and had issue two daughters, Dorothy and Elizabeth, both which died young sans issue.

The said Sir Robert departed this present life the second day of April, anno Domini 1615, and was interred in the chancel of the parish church of Hawsted aforesaid. His funeral was worshipfully solemnized by his aforesaid right worshipful lady dame Anne Drury, Sir Henry Drury of Hewgeley, in com. Buckingham, knight, being chiefe mourner, being assisted by the right worshipful Sir William Wray of Glentworth, in com. Lincoln, knight barronet, Sir Robert Drury of Rougham, in com. Suff. knight, Mr. Drwe Drury, Ar. and Mr. Robert Drury, Ar. the said funeral being ordered by Richmond Herald, deputy to Mr. Clarencieux, king of arms, and Chester Herald, the first of July ¹ in the yeare abovesaid.

Dru. Drury. A. Drury. Ed. Bacon. Ro. Bacon. Butts Bacon, Bacquevil Bacon. Thomas Drury. Henry Felton. Phill. Colby.

MS. in Heralds Coll. I. 16. fol. 369.

From the above memorandum it appears, that though the Reformation had made funerals less chargeable in some respects than they had been before; still however they were attended with very considerable expences. In the reign of Elizabeth had been also introduced, and was still continued, a costly style in monumental architecture; the altar-tomb, with its cumbent figures, having now raised over them elaborate canopies, supported with Grecian pillars. These monuments were, I believe, more expensive than those which had in general been erected for some time before the Reformation.

¹ The parish register says, 1 June.

The following is “a note of all the church goodes of the parish church of Hawsted, made this 15th of April, 1637,” from a decaying piece of paper in the church chest.

Imprimis, the communion table with 2 carpets; one of them of fattine, and the other of fustine.

Item, one table cloth of dyoper, and 2 napkins of dyoper.

Item, one communion cup of silver, with the plate to lay bread on, of silver also; and one flaggon of fine pewter.

Item, one surples and the houde.

Item, one church bible ¹ of the largest vollum.

Item, one boucke of common prayer.

Item, two bouckes of homiles.

Item, the boucke of canons.

Item, two other bouckes, one of Juel's works, and the other of Erasmus upon the evangeles ², with a desk belonging to them, standing in the middle space.

Item, two register bouckes.

Item, one statute boucke ³ made the 3d of king James.

Item, one boucke for the right of kinges.

Item, one paper boucke ⁴ to set in the names of strange preacheares.

Item,

¹ A bible of the larger volume was enjoined by Henry VIII. Edward VI. and the 80th canon. The present one was probably king James's bible, printed in fol. 1611.

² Edward VI. in the first year of his reign, enjoined, that within 12 months Erasmus his paraphrase on the gospel be provided, and conveniently placed in the church for people to read in. Bishop Juel's defence of his own apology, was in such esteem (says Granger) that it was commanded by Elizabeth, James I. and Charles I. and four archbishops, to be chained in all parish churches for public use. He was one of the greatest champions of the reformed religion.

³ I suppose a book that contained the act for the annual observance of Novemb. 5, and those passed at the same time against those concerned in that plot, and Popish recusants.

⁴ This book is now lost, but I have seen part of one belonging to a neighbour-
F ing

Item, ten other small prayer bouckes which were enjoined to have.

Item, two payer of orgaynes ¹ standing in the chanfell.

Item, one cushing belonging to the pulpet, one curten of bu

Item, one oure glase ², with an iron frame to it.

Item, one great cheaste ³ with 3 locks and 3 keis, and one little bockes within it, which hath the town evidences, and two brasses for the B and one large peece of iron.

ing parish continued down as low as 1706. And so great was the number of names, that it seems to have been the fashion of the time to entertain the audience with a variety of preachers. This book was enjoined by the canons of 1571 and 1603; and continued to be an article of episcopal enquiry in this diocese till at least as late as 1686. "Have you a book of paper, wherein are duly recorded the names and licences of all such strangers as are admitted at any time to preach in your church or chapel?" The introduction of new doctrines both civil and religious, about which people thought so differently, made it necessary for government, for a long time after the Reformation, to lay frequent restraints upon preachers. These books are now become useles, and bishops cease to enquire after them.

¹ These must have been of small dimensions to have been placed conveniently in a room only 33 $\frac{1}{2}$ by 18 feet.

² In the account of the church-wardens of St. Helen's, in Abington, Berks, 174d. was paid for an hour-glass for the pulpit, in 1591. Archæolog. V. I. p. 22. There is scarcely perhaps an earlier mention of this implement. It was used at Paul's Cross in 1616; for in a painting of that and the church, of that date, now in the Library of the Society of Antiquaries of London, I observed an hour-glass near the preacher; and the custom continued till after the restoration; for a very fine one, which cost xvij s. was brought from Holland to Lynn, in Norfolk. Blomefield's Hist. V. IV. p. 131. The iron frames in which they stood are sometimes still seen near pulpits.

³ The large chest with 3 keys still contains the evidences belonging to the parish; and was probably in being before the Canons of 1603 enjoined every parish to provide a sure coffer, with 3 locks and keys, in which the parish register was to be kept. It has a narrow hole on the top exactly over the little box lodged within, through which the money of the charitable was to be dropped. A box of this sort, called *the poor mens box*, was enjoined by Edw. VI.; the alms so collected were to be distributed among the poor at convenient times, in the presence of the parish. The canons of 1603 ordered it to have 3 keys; and the placing it within the large one that had that number, appears a frugal compliance with the law. The brasses and the long piece of iron, whatever were their uses, have escaped the three locks and keys.

Item,

Item, the cover of the funte of wineſcot.

Item, ten forms great and ſmall.

Item, in the ſteeple three great bells, with all things belonging to them.

Item, one little bell ¹, hanging between the church and chanſell.

Item, one beere and three ladders ſtanding in the ſteeple.

Item, two great ches ² ſtanding in the neather ſoller ³ of the ſteeple.

Having thus put together whatever this place could ſupply towards illuſtrating ſome of the religious cuſtoms and modes of thinking of our anceſtors, I ſhall now proceed to the deſcription of

The C H U R C H;

But I muſt firſt hope to be indulged in a ſhort pauſe in the church-yard, which I can never enter without a variety of reflexions ruſhing in upon my mind: for, excluſive of thoſe ſerious thoughts, with which theſe ſcenes of mortality, wherever they occur, muſt neceſſarily inſpire a contemplative mind, I conſider this and other rural repositories of the dead, as the laſt reſting-places of ſome of the moſt valuable members of ſociety; of thoſe

¹ It ſtill hangs there on the rood-loft, and is about 6 inches diameter. It was rung probably at ſome particular parts of divine ſervice (as at the conſecration or elevation of the Hoſt, whence it is ſometimes called the *ſacring*, q. d. conſecrating bell), to rouse the attention of the audience, ſome of whom who ſat at the S. E. and N. E. corners of the church could not well ſee what was tranſacting at the high altar. I recollect not to have elſewhere ſeen one of theſe bells; and wonder that this has eſcaped all the reformations that this church has ſuffered. The ſaint's bell was hung on the outſide, and gave notice to thoſe abroad when the more ſolemn acts of religion were performing.

² Theſe were probably the old ones uſed before the Reformation, when the various veſtments belonging to the church required much more room than they do at preſent; they are now gone.

³ i. e. the lower ſtory.

who have spent their days in incessant labour and poverty, cultivating the lands of others, and reaping harvests, which fill the kingdom with plenty, and of which they themselves can purchase but a scanty pittance. It is from these "rude fore-fathers of the hamlet" that our fleets and armies are supplied with an intrepid race of warriors ; from these, that our manufacturing towns are furnished with useful mechanics, and imperial London itself prevented from becoming a desert. What unformed Hampdens, Miltons, and Cromwells, may here repose, I indulge not my fancy in conjecturing, while I am certain that under these neglected hillocks lie those who, with persevering patience, performed the task allotted them by heaven ; and, at the close of it, laid down their lives with a resignation, which I can witness would have done credit to philosophers.

In this church-yard the ashes of two pastors are mingled with those of their flock. On an altar monument close to the chancel door is this inscription :

Reader,
 If virtue and goodness could have saved from death,
 Thou hadst not here been stopt.
 Underneath is interred the body of the Rev.
 Anthony Pitches,
 Late rector of this parish ;
 Whose modesty and sincere love of truth was such,
 That to flatter his memory would be to insult
 His ashes.
 A man of great humanity, equal probity, and
 Undissembled piety.
 In preaching the word of God, he was
 Diligent and successful ;
 In doing it, most exact and exemplary.
 The firmness of his virtue carried him with credit
 Through all the difficulties of his time.
 His notions of God were, like that great Being,
 Just and venerable :
 Of Religion, like the doctrine he taught,
 Pure and scriptural :

Of

Of Government, like the laws of his country,
Free and manly.

In a word,

He really was, what he would others to be,
A true Englishman, and a true Protestant,
A Loyalist, and a Churchman.

He died August 15, 1720, aged 63.

Under the east window of the chancel a mural tablet of stone, fronting four coffin-shaped monuments, in thus inscribed :

H. M. S.

To the memory of the Rev. Mr. Rich. Pitches, A. M. rector of this parish, and son to the late Rev. Mr. Anth. Pitches, rector of this parish also; who, to the great grief and loss of all that knew him, after a long and tedious illness, resigned his soul to God who gave it him, in hopes of a blessed resurrection to life eternal, on the 6th day of Oct.

Anno { Ætat. 40,
Salutis 1727.

To the memory of Mrs. Henrietta Maria Pitches, wife to the Rev. Mr. Rich. Pitches, and daughter of William Capell, Esq; of Stow Hall, in Suffolke. She left behind her one son and two daughters, and resigned her soul to God who gave her it, on the 5th day of Nov.

Anno { Ætat. 43,
Salut. 1726.

To the memory of Sarah Tyrrell, widow, sister to the late Rev. Mr. Anthony Pitches, rector of this parish, and wife to Mr. Henry Tyrrell, Attorney at law, in London. She departed this life in a good old age on the 5th day of February.

Anno { Ætat. 86,
Salut. 1724-5.

To the memory of Mrs. Mary Capell, daughter of the above-mentioned William Capell, Esq; She departed this life on the twentieth day of Jan. Anno Salut. 1724-5.

Arms. A lion rampant crowned, empaling a lion rampant between three crosses crosslets fitché. Crest, a lion's head erased crowned.

The

The humble efforts of the rustic Muse should not be despised. They have often a very affecting simplicity, and tell the moral tale full as well as more laboured compositions. The following are selected from some others of an equally sober and rational cast.

Here lieth the body of Joseph Pavis,
who dyed May the 6th, 1701.

Think oft of death
And feare to sin;
When this life ends,
Eternity begin ¹.

Mr. Thomson Wycks dyed March
the 9th, 1714, aged 24 years.

Behold I'm dead, yet shall I live.
'Take heed all ye that me survive.

Here lyeth the body of Edward Passy,
who dyed the 10th of May, 1701.

Few were his years on earth
But yet in living well,
He is more safe
Than they that fourscore tell.

Here lyeth the body of Mercy
son of Robert Hayward, who dep.
this life July 4, 1694, aged 40
years.

There is a great partiality to burying on the south and east sides of the church-yard. About 20 years ago, when I first became rector, and observed how those sides (particularly the south) were crowded with graves, I prevailed upon a few persons to bury their friends on the north, which was entirely vacant; but the example was not followed as I hoped it would: and they continue to bury on the south, where a corpse is rarely interred without disturbing the bones of its ancestors.

This partiality may perhaps at first have partly arisen from the antient custom of praying for the dead; for as the usual approach to this and most country churches is by the south, it was natural for burials to be on that side, that those who were going to divine service might, in their way, by the sight of the graves of their friends, be put in mind to offer up a prayer for the

¹ A singular substantive and a plural verb do not shock a Suffolcian—such a barbarism is one of the leading features of his language.

² It was a puritanical fashion to christen by such names.

welfare of their souls; and even now, since the custom of praying for the dead is abolished, the same obvious situation of graves may excite some tender recollection in those who view them, and silently implore “the passing tribute of a sigh.” That this motive has its influence, may be concluded from the graves that appear on the north side of the church-yard, when the approach to the church happens to be that way; of this there are some few instances in this neighbourhood. Still, however, even in this case, the south side is well tenanted; there must therefore have been some other cause of this preference. The supposed sanctity of the east is well known, and is derived from our Saviour’s, that SUN of Righteousness, appearing in that quarter with respect to us; from the tradition of his ascending to heaven eastward from mount Olivet; and from an opinion that He will appear in that quarter at the last day. Hence the custom of building churches with one end pointing towards the east; of our turning ourselves in some parts of our prayers towards that point; and being buried with our faces directed that way. Has then the idea been extended, and any analogy conceived to be between the SUN of Righteousness and the material sun; so that those who are buried within the rays of the latter may have a better claim to the protection of the former? However this may be, and whatever origin this preference of the south and east to the north may have had, the fact itself is certain. Morefin, as quoted and translated by Brand, in his “Popular Antiquities,” p. 53. says, in Popish burying-grounds, those who were reputed good Christians lay towards the south and east; others, who had suffered capital punishment, laid violent hands on themselves, or the like, were buried towards the north: a custom that had formerly been of frequent use in Scotland.

In this church-yard stood formerly a *Cross*, two fragments of which lie close to the fence on the south side; and its handsome

some pedesttal, charged with the Drury arms, is cut in two, and serves as steps to the north door of the church.

Another stood where the direction-post now stands, close to the church-yard, and gave the name of Cocks-crouch ' Lane (as appears by old deeds) to the lane at the east end of the Church House.

Crosses were very early erected in church-yards, to put passengers in mind to pray for the souls of those whose bodies lay there interred; in 1501, a cross was also ordered by will to be erected in Hardley church-yard, Norf. " pro Palmis in die Ramis Palmarum offerendis ²."

Though few perhaps would wish to see these ceremonies revived, yet may it be doubted, whether, if these crosses were now standing, the morals of the parishioners would be injured by them. The peasant passing by them, in the morning, to his daily labour, might, by casting his eyes upon such objects, receive an impresson, that would have a happy influence on his conduct the rest of the day.

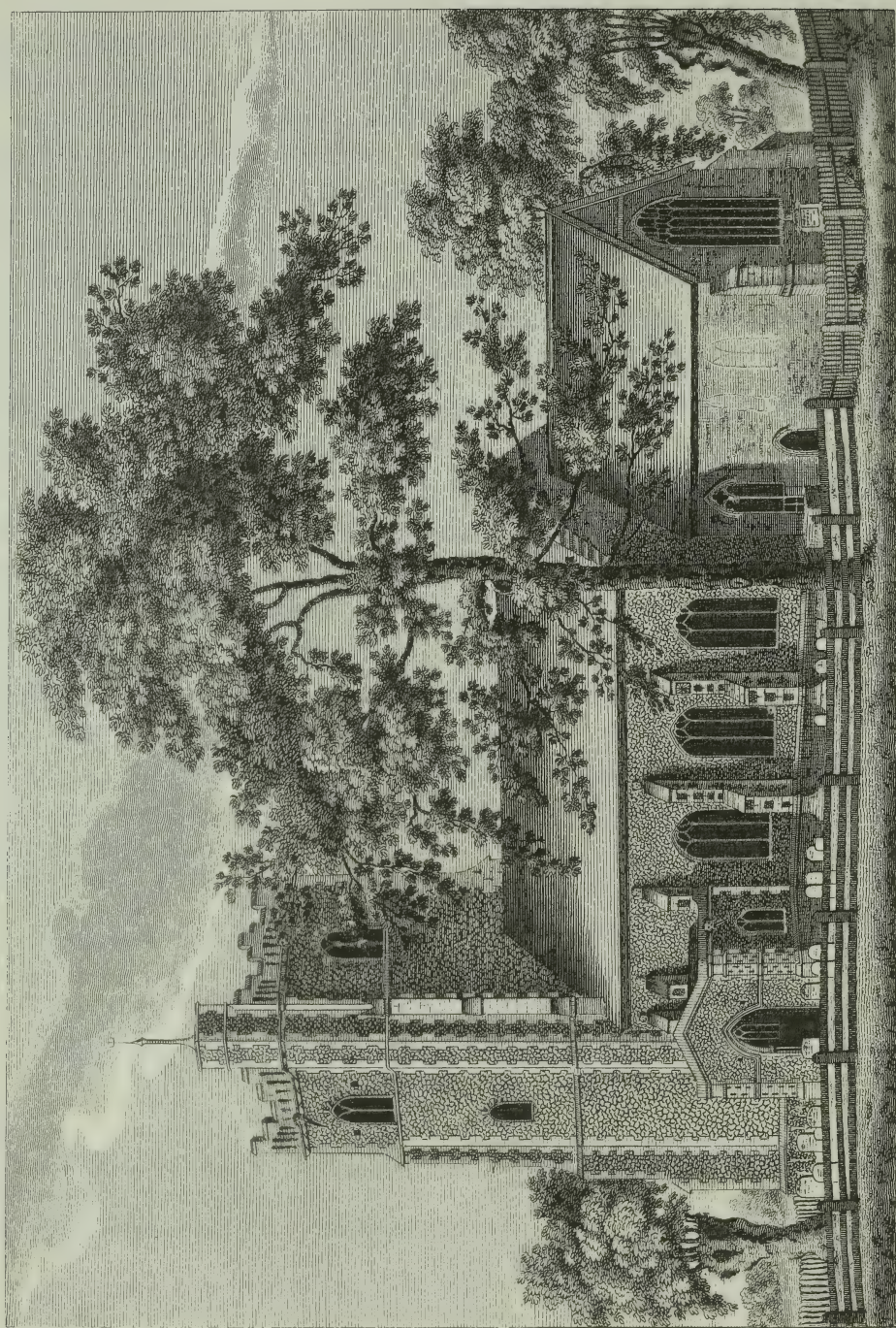
No cattle but sheep are suffered to feed in this enclosure, so that the precaution mentioned in the following lines is never necessary here;

With wicker rods we fenc'd her tomb around,
To ward from man and beast the hallow'd ground :
Lest her new grave the parson's cattle rase,
For both his horse and cow the church-yard graze.

GAY.

¹ Cock's Crouch is, God's Cross. The first word is corrupted in that manner more than once in Chaucer.

² Blomefield's Hist. Vol. V. p. 1133.



J. Price del. April 1783.

E. Goff sculp.

South East View of Hansted Church.

Let us now consider the CHURCH itself.

It is dedicated to All Saints, and situated near the centre of the village. It is built of freestone, and flints broken into smooth faces; materials most durable, and by the contrast of their colours producing a very good effect. Of this kind of work more is to be met with in this diocese than in almost the whole kingdom besides. The porches, buttresses, and embattled parapets, are, in general, the most laboured parts; the flints not being only mixed with the free-stone, but beautifully inlaid in a variety of patterns. Of this inlaying, the lower part of this steeple exhibits no inelegant specimens, in mullets, quatre-foils, interlaced triangles, &c.

Of the exact age of the present building I have no records; but it speaks sufficiently plainly for itself. The very obtusely pointed arches of the windows shew it at first sight to be of no considerable antiquity; for the very sharply-pointed arch, which succeeded the circular one about the year 1200, expanded itself by degrees, and grew more and more obtuse, till towards the reign of Henry VII. it approached the segment of a large circle. The munnions also of the windows carried straight from the bottom to the top bespeak a modern date; for before the reign of Henry VI. these munnions diverged towards the top, and formed a variety of beautiful tracery in the upper part of the window. These particulars are sufficient to prove the building to have no pretensions to antiquity. The arms of the Druries, in stone, in the steeple, will go very nearly to ascertain its precise date. That family did not purchase the manor and advowson till 20 Hen. VII. and the arms of the purchaser, Sir Robert Drury, empaling those of Calthorpe his wife; as also those of his son Sir William empaling those of his first wife, Jane St. Maur, are over the west
G door

door of the steeple, and were doubtless wrought into it at the time of its construction. Sir Robert died in 1520, and his daughter-in-law Jane in 1517; the age therefore of the present building may be fixed at the beginning of the 16th century¹, and the excellence of its workmanship would not disgrace any period. Its walls for about two feet above ground are of freestone, and project all round in the nature of a buttress, exactly like those at Windsor-Castle; a particular which I recollect not in any other country church. Of the handsomely embattled steeple, 63 feet high, the engraving will give an idea. At one of its corners is an iron weather-cock, which has solicited the electric shock for centuries; but the fabric still remains entire; and I cannot help observing, that if modern philosophy did not seem to ascertain the power of iron rods to conduct the lightning, I should almost doubt the fact; for there is another fact that appears to warrant a different conclusion; and this is, that almost every country steeple, exclusive of its weather-cock, is furnished with several iron rods that are let into the stone battlements to strengthen them; these rods ought to conduct the lightning into the buildings, and shatter them to pieces: still, however, these buildings brave the tempest, and stand unstricken for ages.

The *Chancel* is of a different age and inferior style, its walls being of rough flints plastered over; its south window next the church sharp pointed at top, and ornamented with a quaterfoil, is certainly older than those of the church; but this is later than the building itself; for close to it are the vestiges of a lancet window, which was stopped up to make room for it. The bottom of this window, as well as of that opposite to it (which is of

¹ Yet, in 1533, one of the parishioners left x*l* s. to the reparation of the church: and another in 1552, x*s*. to the building of the roof. The first bequest was meant probably for the general support of the church; the second might be for the new tiling of the roof, or the repair of some accidental breach.

the same age, though larger) comes within two feet, or less, of the ground; much lower than those in the church, or the old ones in the chancel: a particularity which I have noted in some other country churches in these parts, and for which I cannot well account. There was also on this side another lancet window, and a third much wider, both stopped up, perhaps for the monuments within. These lancet windows (so called from their slender shape terminating in a point) succeeded the circular ones, and had a very mean appearance. If ever they were tolerable, it was on the north side, that as little air as possible might be admitted from that quarter; when they were in triplets, and adorned with taper columns, they had a good effect. The east window is evidently of the same age with those in the church, and probably put in to correspond with them. The north window, though exactly opposite that on the south, and of the same age, is different from it both in size and pattern. The north and south windows of the church are also different from each other. This particular is mentioned, as the want of uniformity in most ancient buildings is one of their most striking characters. Our old architects seem to have thought that beauty consisted in variety. The roof was entirely made new in 1780, when the thatch was exchanged for tiles, at the expence of 100 £.

The usual entrance into the church is by the south porch, at the right hand corner of which, close to the door, stands a pillar of Suffex marble two feet high, and nine inches in diameter, on which doubtless stood a basin for the holy water¹, into which

¹ It was formerly called a holy water *stop*, or *stoup*; and was generally a stone basin inserted in the wall, close to the door, sometimes within, sometimes without. The vestiges of them are still common. They were also frequently near altars in the church, on the north side, or at the right hand of the officiating priest; so that where one of these appears (except just at the entrance) it may be concluded that an altar formerly stood close to it.

those who entered the church dipped one of their fingers, and then crossed themselves, as is still the constant custom in Catholic countries. This door-case, as well as that opposite to it, have both circular arches, with zig-zag mouldings, evidently of a much older style and date than any other part of the building; nor is this an uncommon circumstance; for which I have elsewhere¹, and I think satisfactorily, accounted, by supposing that these ancient door-cases, in comparatively modern buildings, belonged to former churches: and when these went to decay, and were to be rebuilt, the arched door-cases, both from their materials and construction continuing sound and entire, were wrought up in the new work, and now exhibit a great diversity of style.

The *Church* consists of a body or nave only, and is within the walls 58 feet long, 29 $\frac{1}{4}$ th wide, and about 36 to the highest point of the roof. There are some pews for the principal inhabitants towards the East end, in the neighbourhood of the pulpit. The rest of the seats are probably coeval with the church, being regular benches, all alike, with a low back-board to each. Pews, that so much deform our Protestant churches, were not common till the beginning of the last century; but, however uniform and undistinguished the ancient seats were, and however peculiarly improper subjects to excite any of the ungentle passions, they were very early the causes of contentions, which the synod of Exeter endeavoured to obviate in 1287, by declaring, that all persons, except noblemen and patrons, when they came to church to say their prayers, might do it in what place they pleased². Early in the last century, there seem to have been

¹ Antiquarian Repertory, vol. II. p. 238.

² See Staveley's History of Churches, p. 277, last edition. The editors of the History of Westmorland and Cumberland inform us, that in several churches in those parts the seats are to this day unappropriated. The contrary practice, add they, is extremely

been some disputes about the seats in this church; for from a decaying paper, some years ago in the church chest, it appeared, that Richard Pead, Reg'rar'us, directed an instrument to the churchwardens, charging and commanding them to place the inhabitants in such seats in the church as they should think proper, according to their estates, degrees, and callings; but their power was not to extend to seats belonging to houses of note and worship. Returns were to be made of those that were refractory; dated 1 Dec. 1623. "Is there any strife or contention about seats in the church?" is still an article of episcopal enquiry.

The roof is formed of the rafters on which the tiles are laid, the intervals being filled with oaken planks. The braces and principals are carved; of the latter every other one is supported by an angel. These angels, when well executed, I have always reckoned among the most agreeable ornaments of our ancient churches. Their drapery and different attributes admitted much variety and elegance of sculpture; and their being represented as hovering over the congregation, and assisting their devotions, must have conveyed the most pleasing and animating ideas to our ancestors. There is no doubt (says an old Capitulum) but the presence of God's angels is in churches¹. And in the Communion Service set forth by Edward VI. the Almighty is beseeched "to accept this our bounden duty and service, "and to command these our prayers and supplications by "the ministry of thy holy angels to be brought up into thy "holy tabernacle, before the sight of thy Divine Majesty." The angels in this church have had their heads and wings taken away, probably by Mr. Wm. Dowling, of Stratford, in this county, who made his reforming circuit in the years 1643.

tremely inconvenient in many places, particularly in the metropolis, where one may frequently see most of the congregation standing in the alleys, whilst the pews are locked up, the owners thereof being in the country, or perhaps in bed. Vol. I. p. 485.

¹ Johnson's Eccles. Laws, 994. 10.

and 1644, to destroy the superstitious images and inscriptions in churches; and did incredible mischief. I have part of the journal of his transactions; the angels and cherubims in the roof are constantly ordered to be taken down: to have taken them down would often have endangered the roof; so defacing was thought sufficient.

The font, elevated on two steps, stands at the West end, in the centre; placed there, I apprehend, since the Reformation; for, in its present situation, it would have obstructed the ancient processions, which entered the west door of the steeple, and advanced to the high altar. It is of plain stone, square without, and circular within, $1\frac{3}{4}$ feet in diameter, 11 inches deep, lined with lead, and having a hole at the bottom. Through this hole the consecrated water ¹, when it was to be renewed, was let off, and descended into a cavity below, where it was absorbed by the earth, that it might not be irreverently thrown away, or applied to any profane use. At the upper edge of it are the remains of the iron fastenings, by which the cover was formerly locked down, for fear of Sorcery ². How long this custom continued I cannot say; but a lock was bought for the font in Brockdish church, Norfolk, as late as 1553 ³. A cover is all the canons now require.

The Ten Commandments are painted on the east walls of the church, and near them the Lord's Prayer and the Belief. The former only are required by the 82d canon, which directs them to be set at the east end of every church and chapel, where the

¹ The consecrated baptismal water used to be kept in the font. In 1236 it was not to remain more than seven days, after the baptism of an infant. ² Edw. VI. it was to be changed every month once at least.

² "Fontes baptismales sub fera clausi teneantur, propter fortilegia." Constitution of Edmund in 1236. The sorcery here guarded against was some vulgar superstition, says Lindwood, better concealed, than explained.

³ Blomefield, Vol. III. p. 228.

people may best see and read them. Queen Elizabeth ordered them to be placed at the east end of the chancel. This might be convenient formerly, when prayer-books were not so common as at present; but now they scarcely answer any other purpose, than to disfigure the walls, by being generally ill executed, and becoming obscure.

The *Chancel* is $33\frac{1}{2}$ by 18 feet, and about 24 high. The ceiling is coved and plastered, and divided into compartments by mouldings of wood, the interfections of which are adorned with antique heads, and foliage, preserved from the old one. All its windows have been handsomely painted. Several coats of arms of the Drurys and Cloptons still remain, as also some headless figures of saints and angels. The destroying the faces of "Superstitious Images" was a sacrifice that often satisfied Oliver's ecclesiastical visitors. The communion table is raised two steps, which (as well as the area within the rails) are of black and white marble, and must have been made since the Restoration; for the levelling the steps in chancels was a great object with the Fanatics, and one of Dowling's constant directions. It was designed to diminish the dignity of the communion table, which was sometimes placed in the middle of the chancel. Without the faith of history, posterity would hardly credit the disputes of their forefathers about the name and situation of this piece of church furniture. That in question is furnished with a green cloth fringed, a linen cloth and two napkins, two cups and two patins of silver, and a pewter flaggon.

At one corner stands a wooden lectorne, on which lie Erasmus's Paraphrase, Bishop Juel's Works, and the Book of Homilies; the last very lately ordered by the visitors to be procured, in compliance, I suppose, with the 80th canon, though it was not an article of enquiry in the primary visitation of the late bishop.

it will take probably a long undisturbed slumber with its companions.

The west end, and part of the north and south sides are furnished with sculptured benches and desks. All rectors were commanded to find these at their own expence; they were for the priests and clerks to sit in, and lay their books, while they were reading or singing their hours or breviaries¹. On the north side is a vestry, under which is a vault.

In the middle of the pavement at the west end is a soft light-coloured stone, 5 f. 4 i. by 2. 11. with a small cross engraven at one corner; it had formerly, no doubt, one at each corner, and a fifth in the middle; but these are worn out by being much trodden upon. It was the upper part of an altar, which was always marked in that manner upon its consecration. Sometimes the upper stones of tombs are so distinguished; as that for the French queen, afterwards duchess of Suffolk, in the neighbouring church of St. Mary, at Bury. In the S. aisle of St. Alban's abbey-church, at entering, is a tomb covered by a most beautiful and thick slab of dark Derbyshire marble, richly inlaid by the hand of nature, with great variety of fossil shells, and having a cross cut in it at the four corners, and a fifth in the centre, and probably the table of some altar in that superb building.

The church and chancel are divided by a wooden screen of Gothic work. This used to be called the Rood-loft, from the representation of our Saviour on the *Rood* or Cross, usually placed upon it, between the figures of the Virgin Mary and St. John. It was before these that the lamp was to burn, for which a piece of land was bequeathed in 1503. These images were ordered to be taken down, 1 Edw. VI. set up again by queen Mary, and finally abolished 2 Eliz. Their place is at present not very orna-

¹ Johnson's Eccles. Laws, 1250, and Addenda.

mentally supplied by a painted tablet of the royal arms, which I wonder to see so frequently in churches, as I know of no law that enjoins it; as it is often a shabby, never an elegant piece of furniture, and as the church has badges enough besides of her dependance on the state: The little bell on this screen has been mentioned before, p. 35.

In the steeple are three bells; the two largest were cast since the fashion ceased of christening and naming bells; and have only the names of the founder and church-warden. Henry Pleasant made me, 1696. Thomas Cason, church-warden; the smallest is inscribed,

Æternis annis resonet campana Joannis.

The rector made a note in the register, that the great bell, when new cast, weighed ten hundred and a half and twenty-five pounds; the other, eight hundred and three quarters and seven pounds.

Having thus given some account of the church, and its furniture, I shall proceed to describe, in chronological order, the sepulchral monuments it contains.

Within an arched recess, in the middle of the north-wall of the chancel, and nearly level with the pavement, lies a cross-legged figure of stone. The late Sir James Burrough, in the Appendix to *Magna Britannia*, in *Suffolk*, says, I know not upon what ground, it is for one of the family of Fitz-Eustace, who were lords here in the reigns of Henry III. and Edward I. it is certainly coeval with the chancel, which is of that age. That all these cross-legged figures are for Knights Templars, as has been supposed, is certainly not true; those in the Temple church at London, were not for persons of that Order; it is probable they were for those who had been in the crusades, or

H

had

had by any means contributed to that service. However that may be, this kind of monumental figure seems to have been much in fashion till the year 1312, when the order of Templars sinking into ruin and contempt, whatever had reference to them fell almost entirely into disuse¹. That in question is a very handsome one; the arch being elegantly sculptured with foliage, and a Gothic turret rising from the head and feet, connected by a battlement at top.

As ancient perhaps as the last, is a flat slab of Suffex marble, near the chancel door, 7 feet long, and wider at one end than the other. It has been misplaced, lying north and south; it was probably for an ecclesiastic; but no vestige of an inscription remains. Stones of this shape were frequently the lids of coffins, which lay no deeper than their own depth in the earth, so that their coverings formed part of the pavement.

In the middle of the church towards the east end, is a flat slab of Suffex marble, $8\frac{1}{4}$ by $4\frac{1}{4}$ feet; by its escutcheons in brass, it appears to be for *Roger Drury*, Esq; who died in 1500, and was buried here. The escutcheons are,

1. A tau between 2 mullets in chief. *Drury*.
2. Drury empaling a coat charged with a chevron. *Hanningfield*.
3. Drury empaling, first, a coat charged with a chevron, on which is a cross-crosslet; second, 2 Lyons passant guardant. *Denston*.
4. Drury empaling quarterly, 1st. 3 mullets on a bend, 2d. obscure, except a chief; 3 as 2, 4 as 1.

On a flat stone, close to the steps that lead to the communion-table, is the portrait of a lady in brass, in one of the head-dresses that were in fashion in the reign of Henry VII.

¹ Archæolog. Vol. II. p. 294.

triangular at top, with long depending lappets; at her girdle hangs a bag or purse, by a long string, as also her beads; consisting of 30 small pieces and 4 large ones. On this stone are four escutcheons in brass:

1. *Allington* and *Argenton* quarterly.
2. *Allington* and *Argenton* quarterly empaling *Drury*.
3. *Allington* and *Argenton* quarterly empaling *Gardener*.
4. *Drury* empaling, chequée a fess ermine. *Calthorpe*.

whence it appears that this stone is for *Ursula*, fourth daughter of Sir Robert Drury and Ann Calthorpe: she married Giles, son of Sir Giles Allington by Mary Gardener.

At the head of the last is another with only one escutcheon in the centre, for *Jane* daughter of Sir William *Saint Maur*, first wife of Sir William Drury, who will be next mentioned; she died in childbed in 1517; the escutcheon is,

Drury empaling quarterly, 1 quarterly, 2 chevrons, 2 eight pellets, 3, 2, 3. 3d as 2d, 4th as 1st. 2. a pheon. 3. a lyon passant guardant femée of cross crosslets. 4. 3 escallops in a border enrailed.

All these three last had inscriptions; but I suppose an unfortunate *orate pro anima* was their ruin.

On the top of an altar monument of Suffex marble, in the south east corner of the church, is the portrait in brass of a knight in armour, between his two wives, about two feet high, his hair is clipped short, his whiskers and parted beard are long; his armour is flourished with some different metal, with large protuberances at the shoulders; at his neck and wrists are similar narrow ruffs or ruffles; his toes are very broad. The ladies are habited both alike; though this should not have been, for one died at least 40 years before the other; the first, dying,

as has been said before, in 1517; the other surviving her husband, as is represented by her eyes being open, while those of the other are closed. The hair had now been dressed for some time in a much less forced and unnatural fashion, parted in the middle, and gracing each temple. The cap, now become of a moderate size, had assumed a not inelegant curve in front, and was embellished with a fillet; the mantle, or upper garment, has round hanging sleeves, reaching to the ground; the ruffs at the neck and wrists are the same as the man's; as are also the broad toes, and unbecoming protuberances at the shoulders; the sexes, it is observable, at all times following each other's fashion in several particulars of their dress. The beads had quitted the girdle, and given place to the bible, which hung by a ribbon almost as low as the feet. This description has been the more minute, as it may ascertain the date of similar figures, that have lost their inscriptions. The age of these is fixed by the following epitaph on a brass plate:

Here lyeth clothed now in earth Syr Wyllm Drury, knyght,
 Such one as whylest he lyed here was loved of every weght :
 Such temperance he dyd retayne, such prudent curtesy,
 Such noble mynde, with justice joynd such lyberality;
 As fame yfself shall sound for me the glory of his name
 Much better then this metall mute can ay pronounce the same.
 The leventh of freddy Janyber, the yere of Christ, I fynd,
 A thousand fyve hundred fyfty seven his bytall thryd untwind.
 Who yet doth lybe, and shall do fyll, in hearts of them yt knew hym.
 God graunt the syppes of such a stoke in vertues to ensue hym.

Beneath the two ladies are figures of several children, with their names; Robert, William, Henry, Roger, Anne, Mary, Elizabeth, Fraunces, Bryget, Wynefryd, Ursula, Audrey, Dorothy, Marget, Kateryn, Dorothy, Elizabeth.

The

The monument next in antiquity to this is a mural one in the south east corner of the chancel. It consists of a basement about 3 feet high, on which, under an ornamented arch, lies the figure of a young female large as life, her head reclining on her left hand; her mantle is drawn close about her neck, and edged with a small ruff; her hair is in many small and short curls, without any cap or covering; above is an emblematical female personage, surrounded with a glory, and scattering flowers on the figure below: on each side of the basement sits a greyhound, the cognizance of the family. This is a very pleasing monument, of painted alabaster, and well executed; only disgraced by an ugly death's head. All such representations and emblems as this, bones in saltire, &c. I could wish to see banished from sepulchral monuments; they are disagreeable objects in themselves, answer no purpose of morality, and seem not consistent with the spirit of Christianity, which never paints death in frightful or disgusting colours.

The inscription on a tablet of black marble is,

QUO PERGAS, VIATOR, NON HABES.

AD GADES ¹ OMNIUM VENISTI, ETIAM ET AD TUAS:

HIC JACES, SI PROBUS ES, IPSE,

IPSA ETENIM HIC JACET PROBITAS,

ELIZABETHA,

CUI ²,

CUM UT, IN PULCHRITUDINE ET INNOCENTIA

ANGELOS ÆMULATA STRENUE FUERAT, ID ET IN HOC PRÆ-

STARE NISA EST,

UT SINE SEXU DEGERET:

¹ The word is plain enough. In the Monumenta Anglicana it is *Cades*, with *Clades* q. ² *Quæ* q.

IDEOQ. CORPUS INTACTUM, QUA FACTUM EST INTEGRITATE
(PARADISUM SINE SERPENTE)

DEO REDDERE VOLUIT.

QUÆ NEC ADEO AULÆ SPLENDORIBUS ALLICEFACTA, UT A SEMET
EXULARET,

NEC ADEO SIBIMET COENOBIIUM FACTA, UT SE SOCIETATI DENE-
GARET :

NEC OB CORPORIS FORTUNÆVE DOTES MINUS IN ANIMO DOTATA;

NEC OB LINGUARUM PERITIAM MINUS TACITURNA.

VITAM MORTEMVE NEC PERTÆSA, NEC INSECTATA,

SINE REMIS, SINE REMORIS,

DEUM DUCTOREM SEQUITA,

HUNC PORTUM POST XV FERE ANNOS ASSEQUITA.

ROB. DRUKI EQ. AUR. ET ANNA UXOR,

UNICA FILIA, ITAQUE ET IPSO PARENTUM NOMINE SPOLIATI,

HOC MONUMENTUM EXTRUENDO,

FILIÆ SUÆ (EHEU DEPERDITÆ) ALIQUANTILLA PRÆSENTIA

LUCTUOSISSIMÆ SUÆ ORBITATI BLANDIUNTUR.

SECESSIT

ANNI ÆTAT. XV MENSE X, ET SUI JESU CIOIOCX.

Opposite the last is a noble mural monument, consisting of a basement, on which is a sarcophagus of black marble, beneath a double arch supported by Corinthian pillars. Over the arch, in an oval frame, is a most spirited bust in armour, large as life. The warlike implements on the arch, and the rest of the ornaments, are all in a good taste. This is a performance of Nicholas Stone, who received for it £140.¹

The oval frame which surrounds the bust is thus inscribed;

MEMORIÆ GULIEL: DRURII EQUIT: AUR:

QUI TRIBUNUS MILITUM OBIIT IN

¹ Anecdotes of Painting in England, Vol. II. p. 28.

GALLIA ANNO DOMINI 1589.
 HOC MONUMENTUM FIERI JUSSIT
 ROBERTUS DRURIUS FIL. EQVES AUR:
 UXOR FACIENDUM CURAVIT.

In two compartments over the sarcophagus is,

ROBERTI DRURI,
 QUO VIX ALTER EJUS ORDINIS MAJORIBUS MAJORIBUS ORTUS,
 CUM NEC EPHOEBOS EXCESSERAT,
 NEC VESTEM DE PATERNA MORTE LUGUBREM EXUERAT,
 EQUIT: AUR: HONORE (NEC ID DOMI)
 SED OBSIDIONE RHETOMAGENSI ANNO 1591 INSIGNITI,
 QUEM
 ET BELLICÆ EXPEDITIONES,
 ET EXTERÆ PEREGRINATIONES,
 ET AULICÆ OCCUPATIONES,
 SATIS (IPSA INVIDIA, QUA SÆPE TACTUS, FRACTUS NUNQUAM,
 TESTE) INSTRUXERANT,
 TAM AD EXERCITUS DUCENDOS,
 QUAM AD LEGATIONES PERAGENDAS,
 AUT RES CIVILES PERTRACTANDAS,
 JAM ANNO SUO 40, ET SUI JESU 1615,
 ANIMA SUMMA CONSTANTIA, EAQUE CHRISTIANA, DEO TRADITA,
 BONORUM BONA PARTE PAUPERIBUS,
 V. ANTE FEBREM QUA CORREPTUS, ANNIS (IDQUE PERENNITER)
 EROGATA,
 CORPUS OLIM SPIRITUS SANCTI TEMPLUM,
 ANIMÆ POSTLIMINIO REDDENDUM,
 TERRÆ POSTLIMINIO REDDI,
 HOC LOCO CURAVIT
 ANNA UXOR,
 NEC INFÆCUNDA, NEC MATER TAMEN,
 DOROTHÆ ET ELIZABETHÆ FILIARUM ORBA,
 ILLUSTR

ILLUSTRI FAMILIA BACON ORIUNDA,
 CUI UNICE HOC DEDIT DEUS STIRPI,
 UT PATER ET FILIUS EODÉM MUNERE, EOQUE SUMMO FUN-
 GERENTUR,
 NICOLAO PATRE SIGILLI CUSTODE,
 FRANCISCO FILIO CANCELLARIO.
 ETIAM¹
 OFFICIO ERGA DEFUNCTUM PIE, PIE FUNCTA,
 HOC QUOD RESTAT SAXI SPATIUM²,
 QUÆ DE IPSA DICENDA ERUNT INSERENDIS,
 (ITA VELIT DEUS, ITA VELINT ILLI)
 POSTERIS RELIQUIT.

On two small pannels in the basement:

Dorothea Roberti et Annæ
 Drury filiola pulcherrima, annis
 4 nata, mortua, hoc etiam
 tumulo tegitur.

She little promis'd much,
 Too soon untide:
 She only dreamt she liv'd,
 And then she dyde.

The two last epitaphs are, I apprehend, from the pen of Dr. Donne. His connection with the family makes the supposition probable; and the singularity of the expression, "Anno fui Jesu," in both of these, and in his own written by himself, seems to confirm it.

Contiguous to the last but one is another large mural monument, consisting, as the last, of a sarcophagus on a basement, over which is a lofty entablature; supported by two square fluted pillars of the Ionic order, and surmounted by a large escutcheon of the arms and crest. The whole is made of a white hard plaster, painted of a dark grey colour, and ornamented with gilding and

¹ *Et jam q.*

² The space continues uninscribed, no friendly hand having been found to fill up the void.

flowers. It was the work of an Italian¹; for in the steward's accounts in the year 1675, I find £5. were three times advanced "to the Italian on account of the monument." And on the north side of the arch that divides the church and chancel the artist has thus recorded his own name and performance.

D IACINTO: COWCIJ: FECIT: DE: MONUMENTO, 1675.

It is rather a heavy performance, and scarcely justifies the employing of a foreign workman in preference to a native. A tablet over the sarcophagus has this inscription in gold letters:

GLORIA
DEO.

QUÆRIS, VIATOR, QUORSUM MONIMENTUM
HOC ERIGITUR?

EST VERUM RELIGIONIS EXEMPLAR
OCULIS TUIS PROPONERE;
ET VIRTUTUM (ETIAM THURICREMO)
MENTEM INFLAMMARE ZELO.

HABES ENIM SUB OBSCURO HOC MARMORE
SACROS ET PERQUAM CHAROS CINERES
D'NI THOMÆ CULLUM BARONETTI;
QUI ADEO VIXIT, UT EUM VIXISSE
NEMINE POENITERE POSSIT,
FUIT ENIM DEO DEVOTISSIMUS,
PROXIMO CHARISSIMUS,
UNICUIQUE GRATISSIMUS.

¹ There is another monument, evidently of the same artist, but upon a much smaller scale, in the chancel of Mildenhall Church, for Sir Henry North, Bart. who died in 1671. The Norths and Cullums were at that time closely connected by marriage.

CONJUX CHARUS:

PARENS PELICANO CHARIOR.

FIDEI POTESTATE,	}	VERUS CHRISTI
SPEI FIRMITATE,		
MORUM SUAVITATE,		
MENTIS HUMILITATE,		

DISCIPULUS.

CÆTERA MEMORENT PAUPERUM LINGUÆ,

NEQUEUNT RHETORUM PENNÆ.

HIC HEROS XTIANUS EXUVIAS MORTIS
 (PRÆTER QUAS NIHIL HABUIT MORTALE)
 EXUEBAT, ET OBDORMIEBAT VI^O APRILIS
 A'NO D'NI MDCLXIV, ET ÆTATIS SUÆ
 LXXVII.

A flat slab of black marble at the foot of the last, has this :

Hic,
 Animis cœlo redditis,
 Deposuerunt
 Corporum exuvias
 Rev'dus Georgius Pitches,
 Olim hujus ecclesiæ
 Pastor fidissimus ;
 Et
 Sara uxor ejus charissima :
 Quorum morum probitatem,
 Tum vitæ per omnia sanctimoniam
 Superstites
 (Quod possunt maxime)
 Æmulentur.
 Obierunt
 Hic A. D. 1672. } { Illa A. D. 1706.
 Ætat. suæ 65. } { Ætat. suæ 90.
 Sarah Tyrrel filia eorum nata maxima
 In insigne pietatis erga defunctos
 Hoc marmor posuit.

On

On a flat slab of white marble, bordered with black, close to the cross-legged figure, is this ;

Hic infra situs est
 Thomas Cullum
 Frater natu minor Dudleii Cullum, Bar'ti,
 Obiit 22 die Decembris,
 Anno { Redemptionis, 1700.
 { Ætatis suæ, 38.
 Cui tanta fuit, etiam in hac turbâ, animi serenitas,
 Tantus amoris et harmoniæ affectus,
 Ut subitus et inopinatus ejus decessus
 Fidem fecerit,
 Harmonicos angelorum choros
 Animam iis adeo similem et adoptivam
 Intempestive
 (Ut nobis accidit)
 Rapuisse.
 Intrepida pone reliquit angelos
 Sursum celeriter exurgens anima ;
 Et quam primum cantus cœlicolarum audit,
 Voce haud minus divinâ
 Ipsa cantabat.

On three mural tablets on the north side of the chancel, adorned with neat pillars, &c. of marble, are the following inscriptions :

Hic jacet
 Quod mori potuit
 D'ni Dudleii Cullum, Baronetti ;
 Viri, non unâ sed multis,
 Iisque præstantissimis virtutibus insigniti.
 Nimirum Dei Optim. Maxim. assiduus
 Et sincerus erat venerator :
 Regiæ majestatis fidelis subditus,
 Patriæ amator fortis,
 Libertatis vindex acerrimus.
 Nec vitæ privatæ minus inclaruit
 Ornamentis :

Studio conjugali erga binas uxores
 Nedum superandus,
 Vix fuit assequendus,
 Et ne te diutius morer
 Lector

Summa erga omnes humanitate
 Celeberrimus.
 Cui parem non facile nos invenimus,
 Nec posterius sunt visuri.
 Obiit anno { Ætatis LXIII°.
 { Salutis MDCCXX°.

Depinge, Marmor,
 Sublimem, justam tamen, iconem hon'lis Annæ
 Filiæ augustissimi Joh'is d'ni Berkley, Baronis de Stratton,
 Et
 Dilectissimæ uxoris d'ni Dudleii Cullum de Hawsted Bar'ti,
 Cujus egregia tam externa quam interna ornamenta
 (Numero et splendore
 Galaxiæ similia)
 Quaquaversum effulgebant.
 Inaffectatam humilitatem in secundis,
 Inexhaustam patientiam in adversis,
 Diffusam charitatem pauperibus,
 Benignam clementiam universis;
 Precipue
 Catholicam pietatem Deo
 Hujus præclaræ Fæminæ
 (nunc coëlicolæ)
 Agnoscebant mali;
 Maximi pendebant omnes.
 Nosce ergo, viator,
 Quod fortunæ corporisque dotibus
 Erat illustris,
 Natu illustrior,
 Virtute illustrissima.
 Abi,
 Æstima, et æmulare.
 Obiit anno { Ætatis XLIII°.
 { Salutis MDCCIX°.

Marmor,

Marmor,
 Tandem inscriptum feras,
 (Quod ipse olim voluit et curavit)
 Hic juxta requiescere
 Annam, alteram
 D'ni Dudleii Cullum, Bar'ti, uxorem :
 Quæ sanguine illum attingens,
 Virtutibus autem conjunctior,
 A teneris annis intra castum ejus limen
 Enutrita,
 Disciplinis optimis ab ipso instituta,
 Visa est precipuè digna,
 Ut sibi in matrimonium adscisceretur,
 Orbitatis suæ, et jam ingravescentis ætatis
 Oblectamentum et solatium.
 Huic vero superstes,
 Secundas experta est nuptias
 Cum reverendo viro Johanne Fulham,
 Honestâ gente orto,
 Et de Compton in agro Surriensi rectore ¹.
 Ita deinceps per quindecim annos vivitur,
 Ut merito dubium sit,
 An esset amantior ille,
 An hæc amabilior ².
 Nempe unum quemque vitæ statum
 Pietate, fide, prudentiâ
 Morum suavitate exornans,
 Obiit anno { Ætatis LII.
 { Salutis MDCCXXXVII.

Another mural monument of marble, near the last, is thus inscribed :

To the sacred memory
 of Dame Anna Cullum,
 wife of Sir Jasper Cullum,
 of Hawsted Place, Baronet,
 She lived and died
 a pattern of piety, charity, and humility,
 on the 9th of Feb. 1735-6.
 aged 56 years.

¹ He died at Compton, in July, 1777, aged 80, being then also archdeacon of Landaff, canon of Windsor, and vicar of Isleworth.

² The attractions of a lady, twelve years older than her husband, may be easily guessed at.

— Cupid took his stand,
 Upon a widow's jointure-land.

On a flat stone near the chancel door is,

To the respected
Memory of the Rev.
Mr. John Smith, A. M.
Rector of this parish
Twenty-three years,
And of Elizabeth
his beloved mother.
She departed this life
3d Oct. 1740.
He — 2d Jan. 1762.
aged 54.

In the middle of the church, opposite the reading-desk, a flat slab of black marble, bears this inscription :

In a vault beneath this stone are deposited
the Remains of
Sir John Cullum, Baronet,
the only issue of Sir Jasper Cullum, Baronet.

His first wife was Jane daughter and heir of Thomas Deane of Freefolk, in Hampshire, Esq; by whom he had one daughter who died an infant; his second (whom he left an inconsolable widow, and who dedicates to his memory this slight testimony of her affection) was Susannah, second daughter and coheir of Sir Thomas Gery, of Great Ealing, in Middlesex, knight, by whom he had twelve children, seven only of whom, John, Thomas-Gery, James, Susanna, Isabella, Jane, Mary, felt the affliction of surviving his death, which was on the 16th of January, 1774, in his 75th year.

Stop, Reader, nor with heedless steps pass by,
Where all the amiable virtues lie.
Open and candid through life's ev'ry part,
Whate'er he spoke flow'd genuine from the heart.
Himself thus guileless, he suspected none,
And suffer'd many wrongs, but ne'er did one.
Though clouds o'ercast this good man's middle day,
Bright he beheld his sun's declining ray.
At last, all peace and harmony within,
His body free from pain, his soul from sin,
He pass'd to heav'n without one groan or sigh —
God grant me thus to live, and thus to die.
Most honour'd, best of fathers, thus a son
With painful piety inscribes this stone.

T. R. S. I. C. B.

A flat

A flat black marble near the font, has this :

Beneath this stone lie the remains of Ellen the wife of Christopher Metcalfe, of this parish, esq; who, at the age of 41 years, was torn from her afflicted family and friends, on the 6th of March, 1775.

R E C T O R S.

The following list is taken partly from bishop Tanner's index¹ to the institution books, preserved with them in the bishop's office at Norwich, partly from the books themselves, and partly from the parish register. The two first articles are the bishop's own notes.

Registrum nigrum S. Edm. fol. 171. Abbas et conventus quiet. clam. et remisit Thome Noel et hered. advoc. eccl'ie de Halstead, 1 Henry II.

Registrum Alb. S. Edm. fol. 278. 14 Edward I. Thomas fil. Eustachii (capitalis d'n's ville) tenet advoc. ecc.

2 kal. Apr. 1308, ROGERUS fil. Eustachii de Halsteade, ad pref. d'ni Thome fil. Eustachii mil. et d'ne Joanne la Colevyle de Halstede matris sue, patronorum ejusdem.

4 kal. Jul. 1330, Jo'ES fil. Will'i de Bradfield de Radswell, ad pref. d'ne Alicie de Grey hac vice vere patrone ejusdem.

10 Nov. 1361, Jo'ES DE BEDFORD, ad pref. Will'i Clopton, mil.

8 Mar. 1404. Clemens Cooke presb. ad pref. Will'i Coggeshall de Clare.

19 Maii, 1422, ROB. IVE, per lib. refig. Clem. Cooke, ad pref. Roberti Clerk, rectoris de Waldingfield, Will'i Clopton, arm. Roberti Cooke de Lavenham, verorum ipsius ecc. patronorum.

26 Junii, 1422, GILBERTUS MYLDE, de Stradeshill, presbyter, ad pref. Rob. Cooke, per lib. refig. Roberti Ive. This was a family

¹ This index is a work of great labour, and extremely useful to those who want to procure the regular succession of the incumbents of any particular parish; it was made in the beginning of this century, when the compiler was chancellor of Norwich.

of note in these parts. The seat of the Cloptons at Kentwell, in Melford, was acquired by marriage with an heiress of this name.

26 Mar. 1453, WILL. COLMAN, ad pref. Jo'is-Clopton, arm.

21 Dec. 1456, magister THOMAS COOTE, in decr. Baccalaureus, ad pref. ejusdem, per lib. refig. Will. Colman.

18 Jun. 1505, THOMAS THORNEY, per lib. refig. Tho. Coote, ad pref. Roberti Drury, mil.

11 Jul. 1526, d'n's WILL. EGLYN, presbyter, ad pref. Rob. Drury, mil. He resigned, I suppose, some years before his death; for he was witness to a will in 1554, under the title of Sir William Eglyn, clerke.

22. Jul. 1547, WILL. SIBOTSON, capellanus, ad pref. Will. Drury, mil. He was witness to the wills of two of his female parishioners, in which he was called their *curate*; and in one of them, dated 1552, parson of Hawsted. He was buried 19 April 1565. He had also the contiguous rectory of Nowton.

22 Maii, 1565, RIC. ADAMS, ad pref. Eliz. Drury, vid. et relict. Will. Drury, mil. He was chaplain to the earl of Bath, and buried here 28 July, 1601.

2 Dec. 1601, JOS. HALL, A. M. ad pref. Rob. Drury, mil. He was afterwards bishop of Exeter and Norwich, well known for his learned and pious writings, as well as for his sufferings. This living was his first ecclesiastical preferment, to which he was invited by a letter from lady Drury, which was delivered him in the street as he was going to receive from judge Popham the appointment to the mastership of Tiverton school in Devonshire. He accepted most thankfully the lady's offer, saying he was going to the west, but God had pulled him back, and he must turn eastward. Being thus settled in the sweet and civil country of Suffolk, as he expresses it, his first work was to rebuild his ruinous parsonage-house; which, if we may judge from its present appearance, he did in a very humble style of architecture. About
two

two years after, he married a daughter of Mr. George Wenyeve, of Brettenham, in this county; and his eldest son Robert was christened here, 26. Dec. 1605. That year he attended Sir Edmund Bacon to the Spa; and in that journey had an opportunity to inform himself, with his own eyes, of the state and practices of the Romish church. Upon his return, he found not that satisfaction which he expected in this place; his patron Sir Robert Drury refusing to restore to the rectory about ten pounds a year, and insisting, as tradition reports, upon his acceptance of a modus for the herbage of the park. By this unjust detention, as he called it, the living was not a competent maintenance, and he was forced to write books in order to buy some. He resolved therefore to embrace the first opportunity of quitting this place, which he did in 1608, when lord Denny gave him the donative of Waltham Holy Cross in Essex. I conjecture he did not much reside here: for during his time there are not above two years in the register of the same hand. While he did reside, he preached three times a week. Till within a few years, there was (as I am informed by a gentleman who has seen it) in the parsonage-house, a plate of lead, with his motto, *Innum nolo. Summum nequeo. Quiesco*: adopted, I suppose, when he first settled here, and expressive of a mind, not totally unambitious, yet content: and it is probable, if his situation here had been comfortable, he would have lived and died in the same obscurity with his predecessors and successors in this rectory. He died under sequestration and in poverty, 8 Sept. 1656, in his 82d year, and was buried at Heigham, near Norwich.

4 Jul. 1608, EZEKIEL EDGAR, clericus, in Art. Mag. super præf. Roberti Drury, mil. vacan. per resignationem ult. incumb. He was deprived of this rectory in 1643, by the same fatal ordinance that ejected his predecessor from his bishoprick: but resided here till his death, which was in 1648; and he is entered, in the

register, parson of Halsted. He had a son of both his names, born in 1620; and, in a feoffment of 1647, styled Ezekiel Edgar the younger, clerk. He was admitted to the rectory of Great Stanmore, in Middlesex, in 1662, and died the next year.

1643, THEOPHILUS LUDDINGTON became rector upon Edgar's deprivation. It is needless to say, his name occurs not in the Institution Book. He had the good fortune to retain his preferment after the Restoration, when many, who had been put into the livings of deprived ministers, were in their turn dispossessed. He was buried here 24 June, 1670.

Upon his death, the inhabitants presented a petition to the patron, recommending a successor in the rectory. This petition, as it is not very long, and for its decency and good sense might serve as a model for similar addresses, is inserted here at length.

To the right worshipful Sir Thomas Cullum, knight and bart.

The humble petition of the inhabitants of the town of
Halsted

Sheweth,

That whereas it hath pleased God to take from us, by death, our late incumbent Mr. Luddington, who, by reason of his long and languishing sickness, was not able by himself to officiate or supply his cure for several years before his death; but did, with your worship's consent, and our very good likeing, procure the same to be supplied by Mr. John Smith, who hath officiated and supplied the cure for these three years last past and upwards, with extraordinary care and pains; whose knowledge, integrity, and quiet and peaceable living and conversation, hath sufficiently appeared and been shewn to us, during the said time. Wherefore we whose names are subscribed, out of the tender care both for
ourselves

ourselves and the rest of the parish, do freely, voluntarily, and of our own accord (in this matter, wherein not only our bodies and estates, but our souls also are highly concerned) most humbly request and beseech your worship, that the said Mr. John Smith (of whose abilities and good life and conversation we have had sufficient knowledge and assurance) may be still continued amongst us, and settled as our minister, and have the benefice conferred upon him; or that your worship will please to respite the settling of any man in that place, until your return into the country: and that we may not have a stranger imposed upon us, whose learning, life and manners, we shall be altogether ignorant of. And your petitioners, as in duty bound, &c. Thomas Gilly, Edward Sparke, Susan Hammond, Susan Edgar, John Mosse, Thomas Page, John Sparke. Church-wardens, Charles Sparrow, Ambrose Death.

This modest and sensible application, for some reason or other, proved ineffectual, for

1670, GEORGE PITCHES was presented, Sir Thomas Cullum, bart. patron; he enjoyed his preferment but a short time, being buried here 17 March, 1672.

1672, JOHN HARRIS. The same patron. He was buried here 4 Feb. 1689.

1689, ANTHONY PITCHES. Sir Dudley Cullum, bart. patron. From several letters I have from him to his friend and patron Sir Dudley, he appears to have been a man of good understanding, and morals. He was buried here 17 Aug. 1720.

1720, RICHARD PITCHES, succeeded his father. The same patron. He was buried here 12 Oct. 1727.

1727, RICHARD WILLIAMS. Sir Jasper Cullum, bart. patron. He gave a bond of resignation; but would not quit, till compelled by a law-suit.

1737, JOHN SMITH. The same patron. He was son of Mr. William Smith of Southampton and Elizabeth his wife; and grandson of captain John Smith, of Leckford-abbess, in Hants. His mother was buried here in 1740, when he inserted the above note of his family in the register. He was buried here 8 Jan. 1762.

20 April, 1762, JOHN CULLUM, M. A. fellow of Catharine Hall, Cambridge: his father patron. He was born 21 June, 1733; and educated at Bury School; whence he went to Catharine-Hall, Cambridge, of which, after having taken the degrees of bachelor and master of arts, he was elected fellow, 7 Dec. 1759. In March, 1774, he became a member of the Society of Antiquaries; in December that year, was instituted to the living of Great Thurlow, in this county; in March 1775, was elected a Fellow of the Royal Society; and in this year 1784, is innocently at least amusing himself in compiling the history, such as it is, of his native place.

Some Extracts from the Church Registers¹; the first of which begins in 1558.

The buriall of Joane Grene, wedow, and sister to William Sebotson, parson of Hawsted and Newton, 1 Feb. 1560.

The buriall of Mrs. Anne Wentworth, wedow, 26 Nov. 1561.

The christening of Mrs. Elizabeth Rookwood, daughter of Mr. Robert Rookwood the younger, 26 Jan. 1563.—She was buried 29th.

The christening of Henry Drury, the son of Mr. Henry Drury, 28 June, 1564. He was buried the same day.

The christening of Elizabeth Drury, daughter of Mr. Robert Drury, of Roughton, 14 July, 1564.

¹ Church Registers were first enjoined to be kept, by Cromwell the king's vicegerent in spiritual affairs, in 1538, just upon the dissolution of religious houses. In 1547, Edward VI. enjoined the same; as did Elizabeth in 1559; from which last period, these parochial records were in general kept with tolerable regularity; and since the abolition of Inquisitiones post mortem by Charles II. are the best evidences of family descents.

The christening of Henry Rookwood, son unto Mr. Robert Rookwood, 25 Feb. 1564.

William Sebotsfon, parson of Hawsted, was buried 19 April, 1565.

The mariage of Mr. John Tirril, of Gipping, and Dame Mary Corbett, 24 June, 1565.

The 11th day of November, 1565, et Re. Elizabeth, 7th, was baptized Mr. Henry Drury, the son of Henry Drury Esquire, and born the Tuesday night before, the 7th Nov.

Md. That Margarette Sparke gave to the repaying of the church ijs. iiijd. paid by William her sonne.

Anno Domini 1575.

Md. That Mr. Robert Drury, the first sonne of Mr. William Drury esquire, was born 30 Jan. betwixt 4 and 5 of the clock in the morning¹, the Sunne in Libra, anno 1574, at Durham House, within the Precinct of Westminster.

Dame Elizabeth Drury, wedow, late wife of the right worshipfull Sir Wm. Drury, knight, was buried 20 Maye. Eadem Elizabetha animam in manus dni commendavit, 19^o hora media int. 5 et 6 mane.

1576. Mrs. Frauncis Drury, daughter of Mr. William Drury, esquire, was born 8 June, between twelve and one of the clock after noone, and was baptized the 13th, being Wednesdaie in Whitsun Week.

1577. Mr. Edward Barnes and Mrs. Dorothe Drury were married 26 August.

1578. Mrs. Elizabeth Drury, the second daughter of Sir William Drury, knight, was born 4 Jan. in Essex, at my Lord Riche his place, ut dic².

From 1581 to 1587, the register is defective.

1587. Mr. George Parker, and Mrs. Auderie Drury, were married 28 Dec.

1589. The funeral of the right worshipfull Sir William Drury, knight, was executed 10 March.

1601. Mr. Richard Addams, parson of Hawsted, was buried 28 July.

1604. John Crofts, the sonne of William Crofts, Gentleman, was baptized 21 October.

1605. Robert Halle, the sonne of Joseph Halle, was baptised 26 Dec.

1606. Barbary Powell, the daughter of Mr. Crofts, was buried 14 April.

1610. Mrs. Elizabeth Drury, daughter to Sir Robert Drury, was buried 17 Dec.

1611. Ezekiel Edgar and Susan Ward were married 16 October.

1613. The register is signed for the first time by Ezekiel Edgar, rector ecclæ. and Gilbert Spalding and Robert Nunn, Church-wardens.

1615. The funeralls of the right worshipfull Sir Robert Drury, of Hawstead, knight, were celebrated, and his corpe buried in Hawsted church chancell, 1 June.

1621. These are to testify and acknowledge, that Susan Lillye, the wife of Thomas, dwelling and dying in the Dayrie-house of Hawstead House, was, with the consent and leave of Mr. Thomas Rewse, on my lady Wraye's behalf, and Ezekiel Edgar, parson of Hawstead then being, on the Church's behalf, upon special desyre, carryed to Whepstead church to be buried there, 28 Nov.²

¹ The reason of this minuteness probably was, that, when his fortune was to be hereafter told, the Astrologer would want to be informed of the precise time of his birth.

² In 1626 there is another entry of the like cautious and jealous import.

1624. The buryall of the right worshipfull lady the lady Anne Drury, widow, once the wife of the right worshipfull Sir Robert Drury lord of Hawstead. Shee dyed in Hardwick House, 5 June, about ten o'clock in the night, and was buried in Hawstead church chancel, 6 June, about eleven o'clock in the night.

1627. Mrs. Elizabeth Ayscoghe, the daughter of Sir Edward Ayscoghe, and the lady Frances his wife, was baptized 15 Nov.

1634. Anne Wingfield, the daughter of Mr. Anthony Wingfield, Captayne, and Anne his wife, was baptized 26 Feb. — buried 17 Sep. 1638.

1636. Mr. Thomas Coventrye was buried 18 Aug.

1638. Anthonie Wingfield, the sonne of Anthonie Wingfield, Captayn, and Anne his wife, was baptized 23 May.

1648. Mr. Ezekiel Edgar, parson of Halstead, was buried 15 Feb.

From 1653, to the Restoration, marriages were performed by the civil officers at Bury; and some of this parish were so married there, as I have seen in the register of that town.

1653. 17 July. Collected towards the Relief of Marlborough, in the parish of Haulstead, the sum of 1l. 11s. 6d.

24 July. Collected in this parish, for the Propagation of the Gospel in New England, the sum of 2l. 5s. 5d $\frac{1}{2}$.

1655. 20 June. Collected towards the relief of the Protestants in Savoy, the sum of 2l. 9s. 1d.

1658. Mary the daughter of Sir Thomas Cullum, Bart. and Dudly his lady, was baptized 6 Feb. — This entry and the two next must have been made some years after the events.

1660. Elizabeth the daughter of Sir Thomas Cullum, Bart. and Dudly his lady, was baptized 30 March.

1662. Tho. the son of Sir Thomas Cullum, Bart. and Dudly, his lady was baptized 20 April.

1664. Sir Thomas Cullum, Baronet, was buried 9 April.

1670. Mr. Theophilus Luddington, rector of Hasted, was buried 24 June.

1672. Mr. George Pitches, rector, was buried 17 March.

1675. Mr. William Hanmer and Mrs. Peregrine North¹ were married 2 Oct.

1678. Mrs. Edgar, widow, was buried 28 May.

An account of such as have been buried in or at the parish church of Hawsted, since the 1st of August 1678, when the act for burying in woollen took place².

1680. The lady Dudly Cullum, wife to Sir Thomas Cullum, Bart. buried 10 September.

¹ The father and mother of Sir Thomas Hanmer, speaker of the House of Commons.

² The day when the affidavit was brought was (according to the direction of the act) registered till 1724; but this is generally now neglected as useless. Perhaps no act of Parliament is better observed than that for burying in woollen. The common shroud is so cheap and decent a dress, that there is no temptation to use any other. And in this parish at least, the persons of chief note adopted it as soon as the act passed; for there is but one instance (and that in the case of an inferior person) of the forfeiture for burying in linen.

Sir Thomas Cullum, Bart. buried 16 October.

1685. Mr. Jo. Burton, B. D. and Fellow of St. John's Coll. Camb. buried 10 June.

1689. Mr. John Harris, rector of this parish, buried 4 Feb.

1692. Mr. Henry North, of Woodbridge, and Mrs. Mary Cullum of this parish, were married 21 Jan.

1698. Memorand. That the 3d of May there fell a deep snow, and it froze hard the night following.

William Cawstone and Mary Baldwin, of this parish, were married 8 Sept. The said William is a Husbandman, and liable to pay 2s. 6d. as the King's Duty.

1700. Mr. Thomas Cullum buried 27 Dec. As the said Mr. Cullum was a Gentleman, there is 24s. to be paid for his buriall.

1701. 18 Jan. There was a sort of a Hurricane that did great damage both by sea and land.

5 Feb. There was thunder and lightning, and hail, in a terrifying manner; and on the 7th, there was hail and thunder, and wind almost as great as the former; on the 16th there was another dreadful storm of thunder and lightning.

1703. Nov. 25 and 26. in the evening of both those days there were very considerable tempests of thunder and lightning; and 27th in the morning, there was a most terrifying hurricane, intermixt with thunder, that threw down chimnies, barns, trees, and houses, in several places, and destroyed many persons by land: and at sea there were 14 men of war lost, among which was a rear admiral, besides abundance of merchant ships to an extraordinary value.

1706. The number of men and women above 16 years of age in this parish, as given in to my lord Bishop of Norwich at his visitation, 29 April, Men 81; Women 93.

Mrs. Sarah Pitches, relict of Mr. George Pitches, sometime rector of this parish, buried 28 Nov.

1708. Mr. Robert Bugg, of Bardwell in Suff. and Mrs. Battina Capell, of Stanton, were married 28 Sept.

1709. The hon. Anne Daughter of the right hon. John Lord Berkley, Baron of Stratton, and wife to Sir Dudley Cullum, Bart. was buried 2 June.

About 7 score and 10 communicants in this parish, 19 July.

Mr. Robert Eyton, rector of Eyton in Shropshire, and Mrs. Elizabeth Butts¹, daughter of Mr. William Butts, late rector of Hartest, deceased, were married 14 Oct.

1710. Sir Dudley Cullum, Bart. widower, and Mrs. Anne Wicks, singlewoman, both of this parish, were married 12 June.

1712. Antony son of the rev. Mr. Robert Butts, cl. and Elizabeth² his wife, buried 11 May.

¹ She was sister of Robert Butts, afterwards bishop of Ely.

² She was daughter of Mr. Pitches, rector of this parish, and died when her husband was bishop of Norwich, where she was buried in the chapel belonging to the bishop's palace, with an elegant epitaph. See Blomefield, V. II. p. 428.

1714. The Rev. Mr. John Warren, rector of Fornham All Saints and St. Martin's, and Mrs. Dudley Pitches of this parish, were married 29 April.

1716. Robert, son of the Rev. Mr. Robert Butts, minister of Bury, and, Elizabeth his wife, buried 14 May.

1720. Rev. Anthony Pitches, rector of this parish, buried 17 Aug.

Sir Dudley Cullum, Bart. died 16 Sept. and was buried 27th.

1723. 18 June. The number of communicants given in then, being the primary visitation of Thomas lord bishop of Norwich.—Men 86. Women 89.

1724. Mrs. Mary Capell, buried 23 Jan.

Mrs. Sarah Tyrrell, widow, buried 8 Feb.

1726. Mrs. Henrietta Maria wife of Rich. Pitches, late rector of this parish, buried 8 Nov.

1727. Rev. Mr. Richard Pitches, late rector of this parish, buried 12 Oct.

1728. Richard Brixey, gent. buried 1 Jan.

1729. Mr. Michael Brixey, gent. from the place, buried 6 Dec.

1730. Jane, the daughter of John Cullum Esq; buried 28 Jan.

1733. John, son of John Cullum, Esq; and Susan his wife, was baptized in the chapel at Hawsted Place, 19 July, by me John Smith, then curate of Nowton, now (viz. 1739) rector of Hawsted.

1735. Elizabeth, relict of the late Rev. Mr. Anthony Pitches, rector, buried 25 October.

1736. Lady Cullum, wife to Sir Jasper Cullum, Bart. buried 17 Feb.

1737. Anne Fulham, wife of the rev. Mr. Fulham, of Guilford, Surry, widow of Sir Dudley Cullum, Bart. buried 3 Feb.

1744. Mary, daughter of John Cullum, Esq; and Susan his wife, buried 29 March.

1745. Anne, daughter of John Cullum, Esq; and Susan his wife, buried 20 July.

1754. An Act for the better preventing clandestine marriages takes place 25 March.

Sir Jasper Cullum, Bart. aged 84, buried 8 Nov.

1756. Sarah, daughter of Christopher Metcalfe, Esq; and Ellen his wife, baptized 15 Sept.

Jasper, son of Sir John and Lady Cullum, buried 21 May.

1757. Mrs. Brixey (born 1 April, 1658) Grandmother to Sir John Cullum, buried 16 Jan.

1762. Rev. Mr. Smith, late rector of this parish, buried 8 Jan.

1763. Frederica Sophia, daughter of Christopher Metcalfe, Esq; and Ellen his Wife, baptized 20 Nov.

1769. Lucy, daughter of Christopher Metcalfe, Esq; and Ellen his wife, baptized 26 Nov.

1773. Jemima, daughter of Christopher Metcalfe, Esq; and Ellen his wife, baptized July 4.

¹ By his first wife.

1774. Sir John Cullum, Bart. buried 22 January.
 1775. Philip son of Christopher Metcalfe, Esq; and Ellen his wife, baptized 6 March.
 Ellen, wife of Christopher Metcalfe, Esq; buried 13 March.
 1777. Sarah, daughter of Christopher Metcalfe, Esq; and Ellen his wife, buried 15 February.
 1778. John, son of Thomas Gery Cullum, Esq; of Bury St. Edmunds, and Mary his wife, buried 29 October.
 1780. Mrs. Margaret Barton, widow of Mr. Christopher Barton, of Bromley, in Middlesex, and mother of the late Mrs. Metcalfe, aged 88, buried 24 June.
 1782. Jemima, daughter of Christopher Metcalfe, Esq; and Ellen his wife, buried 6 June.
 1783. An act takes place 1 October, that imposes a tax of 3*d.* upon the entry of every christening, marriage, and burial, except those of some poor persons, particularly circumstanced. A tax, most vexatious to the clergy, and which, it is thought, will be unproductive to the state.
 In April 1784, the bishop of the diocese, among other directions to his clergy, gave some very judicious ones relative to the proper keeping of parish registers—an object to which, in this diocese at least, episcopal attention was never before extended. I hope his lordship's care in this respect will be properly regarded, and that we shall never meet with such entries as this; “the son of Jankin the shepherd baptized.”
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BENEFACTIONS to the town of HAWSTED; extracted from a vellum book in the church chest, into which the original Deeds were fairly transcribed in 1719.

For the explanation of the beginning of the first deed, it is necessary to premise, that from some deeds in my possession it appears, that Robert Drury, Esq; father of Sir William, had on 20th Dec. 25 Henry VIII. with many other gentlemen, been enfeoffed in the four parcels of land specified in Sir William's feoffement; but no declaration had been made to what uses they were to be applied. They had all probably been formerly bequeathed for religious purposes; but at that critical time it might be thought prudent to throw them unconditionally into the hands

L

of

of persons of power, who might preserve them for the benefit of the village. The Reformation had now taken such strides, that there was no longer any hope of appropriating them to their original uses; and therefore the inhabitants requested Sir William, that they might be applied to the general advantage of the place. This is called Sir William Drury's feoffment: but it certainly was not his benefaction.

I. Sir William Drury, Knt. at the request of the inhabitants of the town of Hawsted, and according to a promise which he had lately given them, did on 6 June, 36 Henry VIII. enfeoff Richard Corbett, Esq; Henry and Roger Drury, gentlemen, his sons, Henry Pain, gentleman, William Eglin, clerk, John Sparrow, Ralfe Sparke, Martin Gylly, Thomas Cowper, Edward Wyffin, and Robert Sparke, in one messuage, called *The Church-House*, with its appurtenances, bounded on the north by a way belonging to the manor of Hawsted Hall, and contiguous to the church-yard; and on the south by the king's highway, anciently called *Cokkesfroweb Lane*; abutting towards the west upon lands belonging to the said manor, called *Park Field*; and towards the east on the highway that adjoins to Langage-Meadow. Also in a Close called *Brown's Tuft*¹, in the town of Hawsted, computed at 3 acres, lying between a Close called Matterel's towards the west, and the land of Robert Rookwood towards the west, abutting at both ends on the lands of the said Robert Rookwood. Also in a piece of land called *The Lampe Lond*, lying between the common way called Wynneshmere Lane on the east, abutting on one side upon a piece of pasture in the tenure of Giles Wyffin towards the south, and on the other, upon a way called the Drift Way towards the north. Also in *three acres* of land, lying between the lands of Sir Wm. Drury on the north, abutting at one end upon Coldfield, otherwise called Hongredown, towards the west, and at the other upon the meadow of the said Sir Wm. Drury towards the east. The said feoffees, their heirs and assigns, to have and to hold the said house and lands, for the perpetual relief and use of all the inhabitants of the town of Hawsted for the time being, (*Ad opus semper et usum omnium inhabitantium villæ de Hawsted pro tempore existentium*) paying to the said Sir Wm. Drury, his heirs and assigns, the services before due and customary; and an annual rent of 2s. 8d. of English money, to be paid half-yearly.

¹ John Cowper, of Bury, the son and heir of William, who held this Close conjointly with three others, to the use and benefit of him the said William, his heirs and assigns for ever, as appears by a deed, dated 4 Henry VII. did on 20 Dec. 13 Henry VIII. enfeoffe William and Robert Drury, Esqrs. of Hawsted, and fifteen more, in this Close, for the purpose of supporting the king's taxes, and other burdens and impositions that should be laid on the said inhabitants for ever, as far as the rent of the Close would go (*ad opus et usum omnium pauperum inhabitantium ville de Hawsted, ea intentione ad supportandum taxationes domini regis, ac alia onera et impositiones predictis inhabitantibus imponendas, in perpetuum, secundum quantitatem proficui dicti clausi*) which Close was purchased of the said John Cowper, by John Clerk of Hawsted, lately deceased, who bequeathed it of his own free will to the said inhabitants for the purposes above-mentioned.

This

This feoffment was renewed in 1592, and 1635; after which it was neglected till 1719, when it was renewed by William Leppingwell and Robert Carter, sons and heirs of the two daughters and coheiresses of George Nunn, deceased, who was the eldest brother and heir at law to Robert Nunn, deceased, the last surviving feoffee. The last renewal was in 1769.

II. Sir Robert Drury, of Hawsted, in the county of Suffolk, Knight, “ being
 “ by the Grace of Almighty God, minded to build an *almshouse for the perpetual*
 “ *habitation* and dwelling of *six poor women unmarried*; and to allow every one of
 them five pounds a year of current English money, to be paid quarterly by the lord
 of the manor of Hawsted Hall cum Buckenham’s; the said six women to be at the
 nomination of the said Sir Robert, during his life; and after his death, at the
 nomination of the feoffees for the time being, for ever, out of the poor inhabitants
 of the following towns; out of the town of Hawsted, one poor woman for the
 first place that shall be void; one out of the town of Whepsted for the second
 place; one out of the town of Brockley for the third; one out of the towns of
 Chedburgh and Reed by turn in course, for the fourth; and two out of the burrough
 of Bury St. Edmund’s for the fifth and sixth; so as the overseers of the parish in the
 said burrough, out of which any poor woman shall be placed in the said almshouse,
 do provide relief and maintenance of all things necessary unto such poor woman, as
 for whom, by her becoming impotent and weak, the said allowance of five pounds
 a year shall not be sufficient: in default of which provision, the feoffees for the
 time being, shall supply the said fifth and sixth places for ever, with such poor out
 of any of the towns within five miles of the said almshouse, as to them shall seem
 meet; such towns putting in sufficient security for relieving the poor woman with
 all things necessary, in case she should grow impotent and weak, so that her five
 pounds a year allowance shall not be sufficient. The same Sir Robert, out of his
 charitable disposition to the poor, being also minded to allow yearly for ever for
 the better relief and maintenance of the poor of the following towns, twenty and
 two pounds of current English money, that is to say, to the poor of the town of
 Hawsted 6 pounds; of Whepsted 5 pounds; of Brockley 4 pounds; of Chedburgh
 4 pounds; and of Reed 3 pounds; to be paid quarterly by the lord of the manor
 of Hawsted Hall cum Buckenham’s, to the overseers of the poor of the said parishes,
 with this intent and purpose, that if any poor woman placed in the said almshouse
 shall grow poor and impotent, so that she shall want relief, the overseers of the
 parish out of which she was chosen, shall relieve and maintain her with all things
 necessary; in default of which relief, the lord of the said manor shall relieve her,
 and detain so much of the summs payable to such overseers as will satisfy himself.
 —To carry the above designs into execution, the said Sir Robert did, on 18 March,
 1610, give, grant, enfeoff, and confirm to Sir Nicholas Bacon, of Redgrave, in
 the said County, Knight, Sir Edmund Bacon his son and heir, Sir John Heigham
 of Barrow, Sir Robert Jermyn of Rushbrook, Sir Robert Drury of Rougham,
 Thomas Drury of the Inner Temple, Esq; Richard Brabon, clerk, parson of
 Whepsted, John Hely, clerk, Ezekiel Edgar, clerk, parson of Hawsted, Gilbert
 Spalding of Hawsted, yeoman; all those lands and tenements, &c. then or lately
 called

called Hardwick, or Hardwick Wood, in the said county, sometime belonging to the late monastery of Bury St. Edmund, then dissolved: As also an annuity of 20 pounds, issuing out of the manor of Hawsted-Hall with Buckenham's, and all his possessions in Hawsted, to be paid quarterly to the said feoffees, their heirs and assigns for ever, in the church porch of Hawsted; to the *only use, behoof, intents and purposes*, that they the feoffees, the survivor and the survivors of them, and the heirs of the survivor, should, at the costs and charges of the lord of the manor of Hawsted Hall with Buckenham's, convey the said estate at Hardwick, and the annuity of 20 pounds, to the said feoffees and others, as to them should seem meet and requisite, to the number of twelve; and such renewal to be made in like manner for ever hereafter in all ages, for continuing the said premises in feoffees hands for ever. *To the end*, that the feoffees for the time being, should for ever, and at all time and times, after the death of the said Sir Robert Drury, upon reasonable request to them made, and at the costs and charges of the lord of the said manors, demise and to farm let, the said estate at Hardwick, and the annuity of 20 pounds, to such person as shall be lord of the said manors, for such term of years (if such person shall be so long lord) and such conditions as to them shall seem meet, reserving always the rent of 52 pounds to be paid quarterly to the six alms-house women, and to the overseers of the poor, as aforesaid, by the lord of the said manors for the time being, or his assigns. *Provided always*, That the lord of the said manors, shall from time to time as is necessary, repair and rebuild the alms-house intended to be builded, in such sort as the same shall be first founded and erected.

Sir Robert reserved to himself the power of revoking and making void this deed, by any writing sealed and subscribed by him with his name, or by his last will and testament.

The original was subscribed by Sir Robert with his name, in letters of gold; and always kept in the church chest of Hawsted, till the year 1754, when for some reason or other it was deposited in that of Whepsted.

This feoffment was renewed in 1647, when there were three surviving feoffees; in 1682, when there was but one; in 1712, when there were three; and in 1754, when there were two.

III. John Frost, of Hawsted, labourer, in consideration of 22*l.* paid him by John Alvis and Giles Frost, Church-wardens, *Procuratores*, (part of which 22*l.* was the gift of Robert Kidd, late of Hawsted, labourer, deceased, and of Anne Spalding, spinster; and part was in the hands of the church-wardens) did on 30th Sept. 1622, convey to twelve persons named in the deed, a piece of land with a cottage or tenement built upon it, at Pinford Inn, near the Park Gate, containing by estimation 7 perches: the said twelve persons, their heirs and assigns, to have and to hold the said land and cottage to their own use and benefit for ever, absolutely and without any condition; yet with this hope, intention, trust, and confidence, that at all future times, sixteen shillings of the rents and profits arising from the estate, should be employed and paid annually for the relief and support of the poor, aged, and needy inhabitants of the town of Hawsted, who live honestly, quietly,

quietly, and piously, and of none other; and that the remaining part of the rents and profits should be paid every year to the church-wardens, to be disposed of according to their discretion, for the general benefit of the inhabitants of the said town of Hawsted.

This feoffment was not renewed till 1719, by Robert the grandson of Robert Mayhew, the last surviving feoffee; again in 1769.

IV. 1 Jan. 1674, Thomas Tyrrel of Hawsted, gent. and William Barker, of the same, yeoman, purchased of John Pilborough, and Anne his wife, for the sum of 45 pounds, paid by the chief inhabitants of the said town, one *piece of land* and pasture, *sometime parcel of a field called Mellpost Field*, and a certayn way or lane thereunto adjoining, lying in Hawsted, containing by estimation $5\frac{1}{2}$ acres. Also contiguous to the last, a *pightel of land, called Barnard's, or Little Parkers*, containing by estimation 1 acre. One end of it abuts upon the king's highway, leading from Hasted Green, towards Mennold Green. Of the said purchase money, 40 pounds were given by the lady Frances Wray, widow, deceased, to be a *town stock for the benefit of the poor people of the said town*; the other five pounds were given by Bridget Spalding, widow, deceased, for the same purpose.

In 1651, Thomas Tyrrel the survivor, enfeoffed 12 persons in the above two pieces of land. After which, this estate, like some of the former, was neglected till 1719, when Robert the grandson of John Sparke, the last surviving feoffee, renewed the feoffment. It was last renewed in 1769.

The lands in this and Sir Wm. Drury's feoffment (including a house valued at 2*l.* 2*s.* a year), are let for 9*l.* 16*s.* a year.

Lady Wray's charity is distinguished by the distribution of 28 shillings every half year, in her name, to the poor, in the church.

V. Sir Thomas Cullum of Hawsted Place, Bart. by his will, dated 2 May, 1662, and proved 20 May, 1664, bequeathed to the master and wardens and worshipful company of Drapers, London (of which he was a member) and to their successors for ever, four houses in Trinity Minories parish in or near London, then leased to several tenants for 4*l.* 10*s.* a year, in trust and confidence, and to the intent and purpose, that they and their successors should (among other annual charitable payments) pay every year for ever 5*l.* 10*s.* for and towards the relief of the poor of the parish of Hawsted, in the county of Suffolk; of which 5*l.* 10*s.* two shillings were by the church-wardens of the said parish to be weekly laid out in bread, to be by them and the overseers of the poor, or the more part of them, according to their best discretions, with the consent of the lord of the manor, distributed every Sabbath-day in the year, among such poor people of the said parish, as usually come to the church, having no lawful or just cause to the contrary. The remaining six shillings, the church-wardens for the time being, are to receive for their trouble.

According to the above bequest, 12 two-peny loaves are every Sunday distributed to poor people in the church.

C H A P. III.

LORDS OF THE MANOR, AND OTHER PROPRIETORS OF LAND.

AMONG the obligations we owe to the religious societies, founded by our ancestors, one is, their preserving many notices of families and property, which would otherwise never have reached our time. They were extremely careful of the evidences of their possessions and privileges, transcribing them into registers, and often placing them on the altars of their churches: and the perpetuity of such communities prevented the dispersion and loss of their muniments. To these circumstances it is owing, that we have now some very ancient records of the village at present under consideration.

In the time of king Edward the Confessor, Leofstan the sewer of abbot Leofstan, and Stannard his relation, gave Halsted to St. Edmund. About the same time, Odo and his wife are said to have done the same¹. What these donations were, does not appear; but they were probably all the lands which those benefactors possessed in this place. Something, however, more specific and important was bestowed by that pious monarch, early in his reign; for Halsted was involved in his enormous grant to the monastery of the royalties (*fura regalia*) of all the villages in eight and a half contiguous hundreds.

¹ Monasticon Ang. V. I. p. 293, 4. and a MS. thus described in Tanner's Not. Monast. p. 506. Cartularium terrarum, libertatum, &c. ad hanc abbatiam (scil. Sti. Edmundi) spectantium, manu recentiore, ex antiquis registris cœnobii descriptum folio grandiusculo, MS. penes dom. Rob. Bacon, Bart. It belonged afterwards to Tom. Martyn, who valued it highly; and is now my property. I shall quote it hereafter, as MS. C.

At

At the Conqueror's survey, xxviii free-men held here iiii carrucates of land, or about cccc acres. Odo held i carrucate: Albold and Peter, two ecclesiastics, ii; and Agenetus xx acres. Who the principal lord was, does not appear; for I should think no one of those named was such. The inferior proprietors had the privilege, not always enjoyed by persons in their station, of alienating their lands without the licence of their lord. The right of holding courts for deciding the disputes, and punishing the offences of the vassals, belonged to the monastery, as well as a right of common. There were iii villains, xxi bordarers, and ii slaves: three orders of vassals that are constantly mentioned as distinct, in Domesday, and as appendant to manors; but whose specific kinds and degrees of servitude, interpreters seem not well able to ascertain.

In the time of the Conqueror, St. Edmund possessed here iiii carrucates of land, as appears in the register of John Northwold. MS. C.

Anselm, abbot of St. Edmund (who presided from 1119 to 1148) with the advice of his barons, granted Halsted, or (as it is expressed in another evidence) lands in Halsted, to William son of Ailboldus, and Robert his son and heir. And the said William and Robert confirmed to the abbey the churches of Bertune and Culeford in fee. Harl. MSS. 639. p. 7.

Henry I. gave Halsted to St. Edmund and abbot Anselm, for the service of the altar, and particularly for buying wine for the celebration of masses. Pinchbeck's Register.

Hervey, who was sacrist in the time of the same abbot, recovered for the monastery some lands of Thomas Noel¹, of Hausted. Monast. Ang. V. I. p. 300.

¹ This Thomas was probably the principal lord of the village: for we have already seen in the list of the patrons of the rectory, that 1 Henry II. the abbot and convent released to Thomas Noel and his heirs, the advowson of the church of Haustede.

About this time, a family, as was common, took its name from the place: and in the reign of king Stephen, Ralph de Halstede and Roger his brother, gave the abbot an opportunity of carrying a point of great consequence from the crown. The story is thus related. William Martell the king's sewer, attended by many prelates, barons, and others, and sitting in his seat of justice, in the bishop's garden, at Norwich; two courtiers (*duo curiales*) Jordan de Bloffeville, and Richard de Waldan, produced a young man, named Herbert, who was ready to prove to the court, that he served Robert Fitz Gilbert in the army, when the king led his forces against Bedford, at that time in the possession of his enemies, and that Robert and Adam de Horningsherth had discourse with Ralph de Halstede and Roger his brother (who had come privately out of the town, and changed their horses, shields, and saddles) about betraying, and murdering the king. They therefore demanded, in the king's name, that the cause might be heard, and justice done. Upon this, Ordering the abbot, who was present, stood up, and harangued the court, informing them, that the accused brothers were within the liberty of St. Edmund, and therefore amenable only to him. This privilege was discussed at large: and the abbot established his claim, by the determination of the court, and confirmation of the king. MS. C. ¹.

The above Ralph held here of the abbot, one carrucate and a half of land, and two borderers, as appears among the records of abbot Baldwyn. MS. C.

Of this family was probably John de Hawsted, who, 1 Edw. II. obtained a grant to himself and the heirs of his body, of the manor of Deuslangre com. Northamp. with certain lands

¹ At the end is this note: Et sciend. quod ista cronica prescripta clare parēt n Psalterio capelle dñi abbis usualiter jacente coram eodem. Records of various kinds were often bound up with sacred books. See Bib. Top. Brit. N^o. XX. p. 45.

in Whittlewood, and divers other lands in the said county, and 11 Edward II. was in the wars of Scotland. 15 Edward II. he had the castle and honour of Clare, co. Suff. committed to his charge; and 1 Edward III. was made seneschal of Gascoigne. Moreover, 4 Edward III. in consideration of his services done, and to be done, he obtained a grant of 200 marks sterling to be paid annually during his life, out of the customs of Bourdeaux. He had summons to parliament 6, 8, 9 Edward III. but never after ¹.

Abbot Sampson (who presided from 1192 to 1211), and the convent, granted to Robert the son of Ralph de Halstede, and his heirs, a meadow in Halstede belonging to Horningherth Hall, and lying between the great road to Clare and the pond near the mill of the said Robert, to be holden by the free service of paying 11s. annually to Horningherth-Hall ².

The said Robert had one knight's fee in Hauftede, and half a one in Brockley.

Abbot Sampson, and the convent, granted and confirmed to Thomas the son of Robert Noel and his heirs, all the land which Galfrid the Sacrist held in Halstede, by the service of paying yearly xls. ³. These were doubtless the lands which Henry I. gave for the service of the altar; which Hervey the Sacrist recovered of Noel for the monastery; and which Noel was now glad to redeem by this annuity. This annuity continued, I believe, to be paid till the Dissolution; and was sometimes applied to its original purpose; for in the account of the bailiff of the manor, 7 Henry V. xls. were said to be paid to the Sacrist, for finding wine to celebrate masses in the monastery. The next year for buying wax candles for the high altar.

¹ Dugd. Bar. V. II. p. 126.

² Harl. MSS. 639. p. 7.

³ Ibid. p. 4.

The said abbot and convent confirmed also to the said Thomas and his heirs all the socage which William the son of Ailbold, and Walter the son of the said William, and uncle of the said Thomas, held in Halstede and Effelde ¹, and all the land which they held in Bury St. Edmund's, by the service of paying annually to the steward of the hundred of Thingo xvij*d*. This Thomas held also lands in Dickleburgh in Norfolk, of the abbot and convent, by the service of finding a horse of *x* s. value, for the king's army, when he went into Wales, at the expence of the abbot and convent ².

A fine was levied 21 Henry III. between Richard le Chanoyne, petent, and John Noel, tenent, of 3 carrucates of land in Hauftede, the right of John.

A fine was levied 53 Henry III. between Benedict de Hauftede, querent, and Galfrid Watlow and Claricia his wife, impediens, of a messuage, and 5 $\frac{1}{2}$ acres of land in Hauftede, the right of Benedict.

A fine was levied the same year, between Henry de Stanton, querent, and Walter de Stanton, deforciant, of 1 messuage, 24 acres of land, and 1 acre of wood, with their appurtenances, in Hauftede, the right of Henry, who granted them to Walter for his life.

The earliest principal lords of the village that are specified as such in records, are the family of EUSTACE, or FITZ EUSTACE. The first record in my possession that mentions them is dated the last year of Henry III. and as it has preserved also a point of law, though happily now for us nothing more than a matter of curiosity, I shall give it in the language of the original.

¹ I know not what place this means.

² Harl. MSS. 639, p. 7, 8.

Henricus, Dei gratia, &c. Dilecto clerico suo magistro Richardo Clifford, escaetori suo citra Trentam, salutem. Cum nos clamavimus custodiam omnium terrarum et tenementorum que fuerunt Eustachii filii Thome super defuncti ad nos pertinere, pro eo quod idem Eustachius manerium de Casewyk cum pertinentiis tenuit de nobis in capite. Et ballivi dilecti nobis in Christo abbatis de Sancto Edmundo ad nos et consilium nostrum acceperunt, ex parte predicti abbatis, et nobis intimarunt quod custodia *manerii de Halsted*, quod fuit predicti Eustachii, et quod est de feodo ipsius abbatis, prope villam Sancti Edmundi, ad ipsum abbatem, et non ad nos, pertinet, eo quod predictum manerium de Casewyk, quod predictus Eustachius de nobis tenuit in capite, est de Baronia de Cokes, que fuit escaeta nostra, et non de corpore corone nostre: et in magna carta nostra continetur, quod custodia terrarum que sunt de feodo aliorum habere non debemus occasione alicujus Baronie, aut alicujus partis ejusdem que fuit escaeta nostra. Cum rotulos scaccarii nostri scrutari fecimus, et scrutatis rotulis eisdem invenimus, quod predictum manerium de Casewyk est de Baronia de Chokes que fuit escaeta nostra, sicut ballivi predicti abbatis afferunt, et non de corpore corone nostre. Et vidimus, quod per predictum manerium de Casewyk, ex causa predicta, non possumus custodiam predicti manerii de Halstede quod est de feodo predicti abbatis habere, ac si idem manerium de Casewyk esset de corona nostra. Nolentes predicto abbati super detencione predicti manerii de Halstede injuriare, vobis mandamus, quod custodiam ejusdem manerii de Halstede, cum pertinentiis, predicto abbati, tanquam domino feodi illius, vel suis ballivis, ad opus ejusdem abbatis liberetis habendum usque ad legitimam etatem heredum Eustachii predicti. Teste meipso apud Westm. xxij die Maij, anno regni nostri LVI^o. ¹

From the above record it appears, that this family had other possessions besides those at Hawsted, which latter it is probable they acquired by Thomas Fitz Eustace marrying Joane one of the daughters of Thomas Noel, about 6 Henry III. They had also considerable property at Gnateshall, in this county ².

The abbot having thus his claim allowed him, immediately let the manor of Hauftede, and advowson of the church, during the minority, to William Clifford, probably a relation of the Escheator's, for xx pounds sterling, paid in hand. The witnesses to this agreement were William de Swynford, Robert de Hoo, John de Saint Clare, Thomas de Ickworth, Knights, William de Walpole, Robert de Meleford, Thomas de Helegey, Stephen de Sidolfesmere, Walter Freyfell, and Richard his brother, with others ³.

¹ MS. C.² MS. C.

MS. C.

During the minority, the church of Halstede became vacant; and William Clifford presented to it, by virtue of the above-mentioned lease.

This minority appears to have been as long a one as well could be: for the heir did not come of age till 21 Edward I. as appears by the following note; which is entitled the Homage for Halstede.

Memorandum, That Thomas, that is de Liferes Fitz Eustace of Halstede, did homage and fealty to abbot John, for the possessions he held of the said abbot in Halstede, in the abbot's chapel at Cheventon¹; on the morrow of St. Denys the Martyr, the 21st year of the reign of Edward the son of Henry; William Talemache and many other persons standing by, and viewing the ceremony. Afterwards the said Thomas was distrained for the fine payable to the abbot; upon which he went to the said abbot at Elmfwel, upon the vigil of St. Thomas the Apostle, the beginning of 22 Edw. demanding remedy in that behalf. Afterwards the said Thomas acknowledged at the same place, in the presence of Robert de Glemesford, Nicholas de Cressingham, Henry Bakun, Robert de Norwold, Roger de Welesham, and many others, that he claimed to hold all his possessions in Halstede of the abbot, upon which account he had been in the wardship of abbot Simon his predecessor; which wardship the said abbot recovered from the king, and let to William Clifford. By virtue of which, the said William, during the wardship, presented a certain clerk of his to the church of Halstede, who was accordingly admitted to it, and continued in it a long space of time, upon pretext that the said abbot had leased to him, the said William, the wardship of his the said Thomas's person, and all his lands and tenements with their appurtenances. And as it was found that the said Thomas had been in such wardship, the abbot discharged him from the fine, and the distress which had been suffered on that account².

During the above minority, namely, 14 Edw. I. a survey was taken of this village among others, when Solomon de Roff and his associates, itinerant justices, made the circuit of this county. This survey is long and minute; but its very minuteness furnishes so many striking particulars, that I shall transcribe it entire.

¹ A village about 6 miles from Bury, given by William the Conqueror to the monastery. Here, as also at Elmfwel, about 6 miles from Bury, the abbot had a seat, as he had likewise at other places. Upon the visitation of the abbey, previous to its Dissolution, one of the few charges against the abbot was, that he spent too much of his time at his country houses.

² MS. C.

Hauftede. *Thomas Filius Eustacii* ¹ capitalis dñs ejusdem ville tenet 1 mess. cc et xl a. terre, x a. prati, et x a. bosci, unum molendinum ² ventr. cum libertate falde ³ apr. et verr. ⁴ cum advoc. ecclie ejusdem ville de *abbate Sci. Edm'i*, et facit hundredo de Thingho pro se et tenentibus subscriptis unam sectam de iij septimanis in iij septimanas ⁵, et xxxd. per ann. ballivo ejusdem hundredi, et ad feretrum Scti Edm'i xls. per ann. et idem abbas tenet de dño rege in capite. Idem Thomas tenet de eodem abbate per predicta servicia $\frac{xx}{x}$ a. terre, quas villani sui de eo tenent cum suis mess. *Galfridus Freman* tenet de eodem Thoma 1 mess. et xx a. terre cum pert. pro ijs. per ann. *heres Johannis del Broke* tenet de eodem 1 mess. et iij a. terre pro iij d. per ann. *Johannes Coc* tenet 1 mess. iij a. terre et iij rodas terre, viz. mess. et iij a. de pred. Thoma et iij rodas de *Roberto le Ros* pro iij d. et idem R. de pred. abbate. *Radulphus Carpenter* tenet ij mess. et vij a. terre, viz. 1 mess. et vj. a. terre de eodem Thoma pro iij d. ob. per ann. et 1 mess. et 1 a. terre de *Roberto le Ros*, et ille R. de pred. Thoma. *Thomas le Bars* tenet 1 mess. de eodem Thoma, et 1 a. terre pro v d. per ann. *Robertus Bernard* tenet de eodem Thoma 1 mess. et ix a. terre, 1 a. prati pro ix d. per ann. *Galfridus de Areford* tenet 1 mess. et 1 a. terre de eodem Thoma pro vj d. per ann. *Radulphus Upholder* tenet 1 mess. de eodem pro iij d. per ann. *Emetyn* tenet 1 mess. vij a. terre et j rodam terre, viz. vij a. terre de eodem Thoma, pro iij s. per ann. et 1 mess. et 1 rodam terre de *Roberto de Boylham* pro iij d. et ille de predicto Thoma. *Johannes de Genen* tenet v. a. de *Willielmo Telemache* pro 1 libra cimini ⁶, et ille de pred. abbate. *Willielmus*

¹ At Gnatstale, where he had property, he was called *Eustace de Hauftede*.

² A corn-mill was a common appendage of a manor. Sometimes the tenants were obliged to grind at that and no other. See Dugdale's Warw. p. 668. So the old author of *fiery engine*, generally printed with Fitzherbert's *husbandry*, says, it is to the most part custom of the tenants to grind their corn at the lord's mill, and that as me seemeth, all such corn as groweth upon the lord's ground, that they spend in their houses.—And if they grind not their corn at the lord's mill, the lord may amerce them in his court; or else he may sue them at the common law, de secta molendini facienda, Chap. IX. I am informed, it is still so at Manchester.

³ When lords of manors granted parcels of lands to their dependants, they often reserved to themselves the exclusive privilege of having a sheepfold; so that the little tenants could not fold their own sheep on their own land, but were obliged to let them be folded with those of the lord, or pay a fine. This was enriching the lord's domains; but a most cruel impoverishment of the lands of his villans.

⁴ How the Aper and Verres essentially differed, I cannot say; but it may be worth remarking, that in all the villages in this survey, where the lord had the liberty of fold, he is said to have that also Apri et Verris: whereas, when the liberty of fold did not belong to him (as it frequently did not) then he had, Libertatem Tauri et Apri, or liberum Taurum et Aprum. The nature of this privilege, and its vexatiousness to the village in general, appears from the following verdict preserved by Thoroton, in his Hist. of Nott. p. 42—13 Edw. I. the jury found that J. B. quondam husband of Maud, had his *Bull and Bear* at Keiworth, *free to go and eat in the corn, meadows, or any other place in the said town*, where he would. And that it was, as the said Maud alledged, in her answer, by reason of the tithes and adowson of the church in the said town, in which she was at that time endowed. Therefore Tho. de R. who had taken and empounded her bull, because he eat of his corn, was *in misericordia*, at her mercy.

⁵ The *d in* suit at the hundred court every three weeks was a very troublesome service: many who held of the abbot did it only twice a year, at Michaelmas and Christmas.

⁶ Cummin is a warm aromatic seed, used by our ancestors for many medicinal purposes; perhaps also for the preservation of their pigeons, which are so remarkably fond of it, that to this day, a cake well

Willielmus Talemache tenet 1 mess. cc $\frac{xx}{iii}$ a. terre, xij a. prati, xxiiij a. bosci, 1 molend. ventr. cum libertate falde, Apr. et Verr. de abbate S^ci. Edmⁱ pro uno feodo militis 1, et facit pro se et tenentibus suis 1 fest. ad hund. de Thingho de iij septimanis in iij septimanas, et balliv^o ejusdem hund. xij d. per ann. et ad ward. Castelli Norwic. ad finem xx septiman. iij s. et idem de d^{no} rege. idem W. tenet de eodem abbate xxxij a. terre per pred. servic. quas villani sui de eo tenent cum suis mess. *Mabil Gymel* tenet de eodem Willielmo 1 mess. et ij a. terre pro ij s. per ann. *Philippus Noel* 2 tenet 1 mess. $\frac{xx}{iii}$ a. terre, iij a. prati, vij a. bosci ab eodem abbate pro xvij d. per ann. et di. fest. hund de Thingho; et x a. terre de *Thoma Fil.* *Eustac.* pro xij d. per ann. et ille Thomas de pred. abbate, et ille ut supra. *Walterus de Stanton* tenet 1 mess. $\frac{xx}{iii}$ a. terre, iij a prati et pasture, 1 a. bosci de eodem abbate pro xvij d. per ann. et di. fest. hundredo de Thingho, et ille abbas ut supra. *Robertus de Ros* tenet 1 mess. lvi a. terre, iij a. prati, v. a. bosci, viz. mess. pred. et xl a. terre, boscum, et pratum pred. de pred. *Thoma Fil.* *Eustacii* pro xvij d. per ann. et ille Thomas de pred. abbate, et idem de rege, et xij a. terre de *Edmundo de Welnetham* pro 1 d. per ann. et di lib. piperis 3, et idem E. de abbate, et ille ut supra; et v a. terre de *Roberto de Beylham* pro ob. per ann. et idem R. de *Gilberto del Haye*, et ille G. de abbate, et ille ut supra. *Adam de Denbam* tenet 1 mess. de eodem pro vj d. per ann. *Edwardus Bercarius* tenet 1 mess. pro vij d. per ann. *Agnes de Busso* tenet 1 mess. pro vj d. *Johannes Cobbe* 1 mess. ij a. terre pro xxx d. *Isabella filia Ricardi* 1 mess. pro xxij d. per ann. *Philippus Childe* 1 mess. pro xij d. *Willielmus ael Dam* 1 mess. pro xij d. *Johannes le Hoze* 1 mess. ijd. *Willielmus de Cramaville* tenet 1 mess. vij a. terre, $\frac{xx}{vii}$ a prati, viij a. bosci, viz. mess. pred. $\frac{xx}{v}$ et vj a. terre, boscum et pratum pred. de pred. abbate pro ix d. per ann. et xxxij d. ad feretrum S^ci Edmⁱ. et unam sectam hundredo de Thingho pro se et tenentibus suis subscriptis; et ix a. terre de *Roberto de Ros* pro vj d. per ann. et ille de pred.

well seasoned with it, is often placed in Dove-houses. A host's wife, says Overbury in his Characters, is the cummin seed of his Dove-house. It was frequently a reserved rent.

¹ It is not ascertained what quantity of land constituted a knight's fee, nor what military service was to be performed for it. It was, however, in consequence of this fee, that Talmache was to pay iij s. every xx weeks for the guard of Norwich Castle. The abbot used to pay yearly for castle-guard and wait-fee xvj l. iij s. iij d.; for his eight hundreds and a half vj l. xij s. iij d. rent, which he collected of the tenants that held the fees of him, every twenty weeks. Blomefield's Hist. Norf. V. II. p. 575. The manor is still charged with this outgoing, which is now called "a feodary, or "castle-guard rent, due to his majesty;" and paid at the end of every five terms, reckoning twenty weeks to a term, iij s. each term: besides 1 s. viij d. acquittance. This tax was formerly called *quartenni*, that is, wardpenny, and was confirmed to the abbot for the eight hundreds and a half by king John.

² Spelled also about this time *Nuell*; afterwards *Norwell*. His descendants had some property or claim here longer perhaps than those of any recorded in this survey; for 6 Henry VIII. *James Norvell*, of Hylcote in Staffordshire, gentleman, gave up all his title and claim to all the lands, &c. which his ancestors held in Hausted.

³ Pepper has been at all times of the greatest use in the kitchen; but how it came to be so often paid in part of rent, I cannot well guess. It was not like those pleasing and uncostly acknowledgements of a rose or gilliflower; but being a foreign production, must have been bought by the tenant, and might full as well have been procured by the lord.

Our ancestors were very fond of spices, and imported some of the more valuable kinds of them soon after the Conquest: they doubtless found them necessary for digesting the gross food that made part of their meals. A porpesse, I should suppose, required a good dose of seasoning

abbate: et vij a. terre de *Philippo Noel*, pro ijs. et idem de abbate; et xvj a. de *Johanne Bolax* pro vj d. et idem J. de pred. abbate; et abbas de dño rege. *Willielmus Alterwent* tenet i mess. et dim a. terre pro xij d. per ann. *Johannes de Breris* ¹ v a. pro vd. per ann. *Galfridus Catelet* i mess. pro vjd. *Walterus le Helder* i mess. pro i ob. *Thomas Mercator* i mess. pro vjd. *Johannes Cott* i mess. pro viij d. per ann. *Willielmus Bercarins* ² ij a. terre pro ijd. per ann. *Johannes de Beylham* tenet i mess. Lij a. terre, iij a. bosci, ij prati, viz. mess. et xxx a. terre, ij a. et di. bosci, i a. prati de abbate Scti Edmii pro ixd. per ann. et quarta parte i sect. ad hund. de Thingo. Item iij a. de Willielmo Talemache pro xij d. et idem W. de pred. abbate: et xij a. terre et di a. bosci de *Petro de Gymel* pro ob. per ann. et idem-P. de abbate. et v a. de *Rogero de Exnynge* pro id. per ann. et ille de abbate: et ij a. terre, i a. bosci et i a. bosci et i a. prati de *Semano de Hauftede*, et idem S. de abbate. et abbas de dño rege. *Benedictus de Hauftede* tenet i mess. et xv a. terre cum pert. viz. mess. et v a. de pred. abbate pro vd. et ij buff. avene: et v a. terre de Thoma fil. Eustac. pro ijs. i d. ob. et ille de abbate; et iij a. et di de *Roberto de Ros* pro ijd. et ille de pred. Thoma, et ille de abbate: et i a. et di de *Willielmo Talemache* pro ijd. et ille de abbate, et abbas de rege. *Johannes Filius Wakelyn* tenet i mess. et ix a. terre cum pert. viz. mess. et v a. terre de pred. abbate pro iij d. per ann. et i buff. avene: et ij a. de Roberto de Beylham pro vjd. per ann. et i a. de Willielmo Talemache pro vd. per ann. et i a. de Thoma fil. Eustac. pro vjd. per ann. et ille de abbate, et abbas de rege. *Nicholaus Aldred* ³ tenet i mess. xvij a. terre, i a. prati de pred. abbate pro viij d. per ann. et i buff. avene. *Saleman Ckilde* tenet i mess. de eodem N. pro vjd. per ann. *Adam Aldred* tenet i mess. et xvij a. terre, viz. de abbate mess. et xv a. terre cum pert. pro vd. per ann. et i buff. avene; et iij a. de *Galfrido Filio Osberti* pro ijd. et ille de abbate. *Matilda Cobb* tenet ij a. terre de eodem Adam pro iij d. *Joanna de Wramplingham* tenet i mess. de abbate pro vd. et ij buff. avene per ann. *Johannes le Hore* tenet i mess. et iij a. terre de pred. abbate pro ijd. ob. per ann. et ij buff. avene. *Rogerus de Jankefle* tenet i mess. et i a. terre de eodem abbate pro id. ob per ann. *Johannes Carpenter* tenet i mess. ij a. terre de eodem abbate pro xij d. per ann. *Thomas Filius Osberti* tenet viij a. terre pro ijd. per ann. de abbate. *Johannes de Cheventon* tenet i mess. xv a. terre, iij a. bosci de pred. abbate pro ixd. per ann. *Henricus Filius Nicholai* et *Richardus filius ejus* tenet i mess. xv a. terre, iij a. bosci de eodem abbate pro ixd. per ann. *Rogerus de Manewode* tenet i mess. et xv a. terre, viz. mess. et vij a. de Edmundo de Welnetham pro xij d. et i summa ⁴ avene: et ij a. de *Semano de Hauftede* pro ijd. per ann. et ille de pred. E. et ille de abbate; et ij a. terre de Thoma fil. Eustac. pro iij d. per ann. et ij a. terre de Johanne del Broke pro id. et ille J. de pred. Thoma, et ille de abbate. et ij a. de *Hospitali Sancti Johannis de Batisford* ⁵ pro iij d. in perpetuam elemosinam. *Johannes Ellyott* tenet i mess.

¹ Afterwards *Bryars*. *Bryar's wood* to this day.

² Shepherd. Hence *Darker*; a name still extant here.

³ This is one of the few Saxon names that occur in this list. *Eldred*, its corruption, still remains in the neighbourhood.

⁴ *Summa* is 8 bushels, or a quarter.

⁵ In this county. This hospital, upon the Dissolution, was granted to the Gresham family: and the timber-work of the original Royal Exchange is said to have been sawn out, and framed in this parish.

et v a. et di terre. viz. mess. et ij a. et di terre de *Willielmo de Cramavill* pro ij d. per ann. et ille de abbate; et ij a. terre de *Roberto de Ros* pro v d. per ann. et ille de abbate; et i a. de *Galfrido Freeman* pro i d. per ann. et idem G. de *Thoma Fil. Eustac.* et ille de abbate, et idem abbas totum hoc de dno rege. *Bernardus* tenet i mess. et iij a. terre, viz. mess. et i a. de *Edmundo de Welnetham* pro ijd per ann. et ij a. terre de *Willielmo Talemache* pro viij d. per ann. et illi de abbate ut super. *Galfridus Filius Osberti* tenet i mess. et xij a. terre, viz. mess. et viij. a. pro ij d. q. per ann. de abbate, et iij a. de *Semano de Hausted* pro iij d. per ann. et i a. de *Johanne Bolax* pro ob. per ann. et ille de abbate. *Willielmus Bercarius* tenet v. a. terre et di. viz. de *Willielmo Cramavill* ij a. pro ij d. ij a. et di de *Roberto de Belcham* pro ij d. ob. et i a. de *Mabil Gymel* et *Roberto de Ros* pro id. et illi de abbate. *Alicia* foror ejusdem W. tenet i mess. i a. et i rodain terre de abbate pro i d. ob. per ann. *Idayne* tenet i mess. ij a. et di terre, viz. mess. de *Willielmo Cramavill* pro xd. per ann. et pred. terram de *Galfrido Fil. Osberti* pro i d. ob. et illi de abbate. *Willielmus Pachet* tenet i mess. et di a. terre de *Edmundo de Welnetham* pro xij d. per ann. *Heredes Thome Parmentar* ¹ tenent i mess. viij a. terre, viz. mess. et vj. a. de *Willielmo Cramavill* pro vjs. et ij a. de *Roberto de Berylham*, et de *Semano* pro ij d. per ann. et illi de abbate. *Semanus de Osmundisfelde* tenet i mess. xxvij a. terre, ij a. bosci et iij a. prati de abbate *Sci Edm*i pro xvij d. per ann. *Ricardus de Saxham* tenet i mess. ^{xx}_{iiii} xij a. terre cum pertin. viz. xxvij a. de pred. abbate pro xxd. per ann. et xx a. de *Willielmo de Cramavill* pro vj d. et ix a. et di de *Roberto de Beilham* pro viij d. et v. a. et di de *Semano*, pro ij d. et iij a. de *Galfrido Filio Osberti* pro id. et i a. de *Willielmo Alderman* pro id. et de *Roberto Breris* et *Galfrido Freeman* v a. pro vd. et de *Jokanne Elyott* iij a. pro id. item i mess. et xv a. terre de *Edmundo de Welthnetham* pro ijs. iij d. et iij buff. avene per ann. et iij a. et di. de *Rogero de Manewode* et *Isabella le Ros* pro iij d. et totum hoc de abbate pred. ².

The above detail exhibits a picture of this village very different from what some may have expected. It has been thought, that these parts of the country, so favourable to the production of trees, were some centuries ago over-run with wood; and that our forefathers lived surrounded and almost suffocated with thickets and forests. Whereas we see by this account, that the whole quantity of wood here was but 68 acres. It is probable, indeed, that the hedges and borders of the fields were at this time furnished with timber-trees, and other wood, as we shall see they afterwards were. Even two centuries before this, when Dome-

¹ Parchment-maker.² MS. C.

day-book was drawn up, the quantity of wood here could not have been considerable. There was then said to be, “*Sylva de III “ Porc.”* or wood sufficient to yield mast for the support of three Hogs. What precise quantity of wood was supposed necessary for that purpose, is not easy to say: but we may safely conclude, it bore a very small proportion to the contents of the lands in the village¹.

The prodigious quantity of arable land is a circumstance not a little remarkable. Almost the whole village was under the plough; for there were between 13 and 14 hundred acres of arable land, and only 45 of meadow. But this consideration will meet us again under the article of agriculture. In the mean time it may not be amiss to observe, that the above numbers of acres are by computation; for it was not till about 17 years after this, namely, 31 Edw. I. that the quantity of an acre was settled by law; and this is the reason, that in this survey, the village is represented as containing less land by a fourth part than it actually does, since its acres were measured by statute. In like manner, to this day, where miles are computed, they are always longer than those that are measured. Why computation should thus exceed mensuration, I pretend not to determine.

The populousness of this village at so remote a period is another circumstance worth observing. There were no less than 50 messuages or houses. At this day there are but 52; 12 of which are divided into 2, and 3 into 3 parts, or tenements, containing in all 70 families, and 415 persons. If therefore the houses were as well stocked with inhabitants as they are now, the place must have been nearly as populous as it is at present.

¹ The author of N° VI. of Bib. Top. Brit. thinks, that the word *porc.* in Domesday sometimes means not hogs, but *porcaries*, or certain number of hogs, p. 46. Perhaps that enlarged sense of the term may be applicable in the present instance.

Fifty-seven persons are specified as holding land or houses; and there might perhaps be more; for when the acres holden by villans come to be distinctly enumerated, they fall short of the gross numbers said to be so holden; so that perhaps some of those occupiers may by some mistake have been omitted. The domestics also of the lords of the two manors were certainly numerous, and ought to be reckoned among the inhabitants, though they held neither lands nor houses.

It is not perfectly easy to account for this populousness, which was not national. It prevailed also, I observe, among the neighbouring villages. Perhaps the abbatial government might be favourable to it. The ecclesiastics were mild and indulgent landlords: their courts, where their tenants were tried, were probably less arbitrary, than those of the great manerial lords; and their dependants less likely to be torn from their homes and families, than those of the warlike barons. For these causes, it is likely, the villages under the jurisdiction and protection of the neighbouring abbey might invite settlers from other parts, and enjoy a population in general unknown. So I am informed, that in those parts of Italy, from which the Jesuits have been expelled, the lands that belonged to that society have become worse tenanted and worse cultivated than they were before the suppression of those Religious.

Of the above 57 persons, 43 were occupiers of land, which is nearly double the number of those at present. This great diffusion of land may at first sight be thought to have contributed to the comfort and plenteous living of the inhabitants; yet perhaps it did not in fact. Seven of the occupiers held two-thirds of the whole; so that there were barely 400 acres to be divided among 36 persons, which is, upon an average, about 11 acres a man; but the parcels were very unequally divided. Now a small parcel of land, it is well known, is always cultivated
at

at a proportionably much greater expence than a large one, and generally in an inferior manner; so that no one lives more poorly, or fares more hardly, than a little farmer; while the public is also a loser by his scanty crops. Besides, most of the little occupiers of old were obliged to do many services for their lords, which took up much of their time, and prevented their making the most of their own spots. It is probable, therefore, that the occupiers of these little patches of land did not live in greater plenty than if they had been day-labourers; and it is certain, that the village, thus frittered to pieces, produced on the whole less corn than if it had been equally divided into 15 or 20 farms.

By the above survey, it also appears, that there were now two manors in the village. That belonging to Fitz Eustace was the capital one, and emphatically called the *Manor* of Hawsted. The site of the house was probably an irregular spot, near the present *Lodge*, surrounded with a deep moat, and containing about 2000 square yards. It is called by some old people, I know not why, *Jews Yard*. The other was called afterwards *Talmache's*, alias *Bokenham's*; and the present style of the manor is, the *Manor of Hawsted Hall*, with *Bokenham's*. The house was afterwards the residence of the Drurys, and called *Hawsted House* and *Hawsted Place*, part of which is still standing.

FITZ EUSTACE.

The father of Thomas, mentioned in the above survey, died, as we have seen, the last of Henry III. and was called Eustace Fitz Thomas. He married Johanna la Colvyle, who, under the title of Johanna la Colvyle (for widows, especially heiresses, often resumed their maiden names) with Thomas her son, presented Roger Fitz Eustace, probably another of her sons, to the rectory of Hawsted, 2. Edw. II. The manor did not continue in this family more than two generations after this. For, by the exemplification of a fine, it appears that, 10 Edw. II. Thomas Fitz Eustace and

Amicia his wife, fettled, after their decease, the manors of Hauftede, and Codenham near Boxford, with their appurtenances, upon Robert the fon of the faid Thomas : that Robert died feifed of the manor of Hauftede ; and that Sir John Fitz Euface, his fon and heir, and Elizabeth his wife, fold it to William de Middilton, and Ifabella his wife, 27 Edw. III.

The above Thomas and Robert his fon, in the reigns of Edward I. and III. obtained grants of free warren in the manor of Hauftede. We complain, and with reason, of the feverity of the prefent game laws ; but what fhall we fay of thofe times, when lords were forced to fue to the crown for liberty to kill game on their own manors ?

MIDDILTON.

This family was very anciently fituated at Mendham in this county. Sir William, who purchafed this manor, was fheriff of Norfolk, 20 and 25 Edward III. During the fhort time he was lord, namely, 32 Edward III. an extent, or furvey, and valuation of the manor was taken, which contains fome particulars that are worthy of notice. It begins with, “ Eft ibidem *meffuagium edificatum*, “ *cum tribus gardinis*, et duobus curtilagiis ad eundem inclufum. “ Columbarium. Molendinum quod valet per ann. xls’.”

Though this fhort defcription of the manfion itfelf conveys no fpecific idea, yet it implies fome excellence of conftruction, that had not perhaps been long introduced. It had probably been newly erected by Sir William himfelf. Of the elaborate architecture of this reign, even in civil buildings, feveral curious particulars may be collected from Chaucer’s works.

The houfe was furnifhed with a pigeon-houfe, three gardens, and two court yards. The luxury of three gardens, at this early

* The original, and a copy of it, of a not much later date, are both in my poffeffion : the latter is of elegant penmanfhip, fome of it written with red ink, that ftill retains the utmoft beauty and frefhnefs.

period, must at first appear very remarkable, when it is known at how low an ebb horticulture was at the beginning of even the 16th century. In 1512, the opulent earl of Northumberland, whose household consisted of 160 persons, had, I think, but one gardener, who attended "hourely in the garden for setting of erbis, " and clipping of knottis, and sweping the said garden clene." Nay, it should seem as if sometimes there was not even one; for among other workmen of the household, as a painter, a joiner, and a milnar, is mentioned "the gardener of the place where " my lord lyeth, *if there be oone* ¹." And in 1539, and later, according to Evelyn, cabbages were imported from the Netherlands. The truth is, in the reigns of the first Edwards, the cultivation of the garden was extended even to the more curious and delicate productions; but neglected afterwards during the contentions of the houses of York and Lancaster, when horticulture, as well as the other arts of peace and polished life, gave way to the havock and devastation of civil war; nor did it recover to any considerable degree till the time of Elizabeth. This we learn from the description of England prefixed to Holinshed's Chronicle, published about the middle of the reign of that prince. The passage is so curious that I cannot forbear transcribing it. "Such herbes, frutes, and roots also, as grow yeerelie out of " the ground, of feed, have been verie plentiful in this land, in " the time of the first Edward', and after his daies; but in pro- " cesse of time they grew also to be neglected; so that from Henry " IV. till the latter end of Henry VII. and beginning of Henry VIII. " there was little or no use of them in England, but they remayned " either unknown, or supposed as food more meete for hogs, or " savage beasts, to feed upon, than mankind. Whereas in my " time their use is not only resumed among the commons, I mean " of melons, pompions, gourds, cucumbers, radishes, skirrets, parf-

¹ Northumberland Household Book, p. 42.

² In 1294, great repairs were done to the kitchen garden, and other garden walls belonging to the priory at Dunstaple. Annals of Dunstaple.

“ neps, carrots, cabbages, navewes, turneps, and all kinds of fallad
 “ herbes ; but also fed upon as daintie dishes at the tables of de-
 “ licate merchants, gentlemen, and nobilitie, who make their pro-
 “ vision yeerlie for new feeds out of strange countries, from
 “ whence they have them abundantlie ¹.”

It appears also from the following items, that tiles were used, or made here, at this time ; a refinement not known, even in some towns, till many years afterwards. The historian of Nottingham informs us, that the first tiled house there was in 1503. “ 1 acr. “ 1 rode terre cum una domo *tegulator*. Prec. Acr. *xiiid.*” Whether we are to understand by the barbarous and mutilated word *tegulator*, that the house was tiled, or inhabited by tile-makers, it may be difficult to say. *Summa valor. dom. tegulator. vil. xiiis. iiid.* may incline one to think the former : yet, in the whole rental, but one house is so described ; and *summa valor.* is applied to a single object, as *molendini*. In a rental, 15 Henry VII. mention is made of *tyle-house field*, *tyle-house grove*, *tyle leys*.

The lord held in his own hands 572 acres of arable land, 50 of meadow, pasture for 24 cows, 12 horses, and as many oxen, and 40 of wood. This was a noble demesne, and may serve to give an idea of the plenty that must have reigned in the mansion of the principal person of the village above four centuries ago. The proportion of arable land to meadow was greatly diminished within about 80 years ; for, instead of being 24 to 1, it was now only a little more than 11 to 1. This was probably owing, partly to the great encouragement which Edward III. gave to the woollen manufacture, and partly to his wars, which must have been inimical to tillage. The consumption of flesh-meat, we may conclude, had now increased ; and indeed 5 years after this, it was enjoined by statute, that no grooms, or servants of lords, should have flesh or fish above once a day.

There seems to have been a *park* here even earlier than this ;

¹ Holinshed, p. 208.

for a piece of arable land of 36 acres was called *Park-field*. It lay on the west of the church.

The principal lord had now begun to extend his property, and engross the village. The estates of Stanton and Noel (now called Nowell) and of others, to the amount of 218 acres, had been purchased.

The pleas and perquisites of the court were worth LXVS. VIII^d. a year.

There were 32 free tenants (*liberè tenentes*), 17 of whom performed suit of court every 3 weeks. They paid all together LXIIIS. II^d.; 3 pecks of oats (*avenè grosse*); 5 $\frac{3}{4}$ cocks and hens. The lord had wardship and marriage¹ of all the heirs under age. Among the names are those of John Fylet, whose name a farm on the east side of the green still bears. It was early the property of the Rookwoods, and is so now of their representative, Sir Thomas Rookwood Gage, bart. See Fillet's arms, Plate 3, N^o 7. of Henry Hopper, by whose name a piece of ground is still distinguished; and of Robert Cuppere, whose descendants, now called Cowper, still remain here.

To this manor belonged two *nativi*, or servants born of servile tenants. Their tenures and services are so distinctly enumerated, that we have a perfect idea of their state and condition.

Thomas Frame holds 1 messuage and xxx acres of arable land and pasture at the yearly rent of xx^s., to be paid, by equal portions, at Easter and Michaelmas, and Christmas IIII^d. called *offring-silver*, besides 1 cock and 11 hens, at the same time. And he shall mow the lord's meadow IIII whole days. And all

¹ When a great man's tenants were his vassals, and almost as much his property as the land they cultivated, no one could be so proper to preserve this connection and attachment, by the suitable education and marriage of the minors, as the lord himself. But when more civilized manners prevailed, this privilege, well enough adapted to a rude and barbarous age, became an useless and intolerable burden. We can hardly now believe that it has not been abolished much above a century.

the *customary* ¹ *tenants*, when they mow the lord's meadow shall have 1 bushel of wheat for bread, and *vid.* for drink; and one whole day's produce of the manor dairy for cheese. And he shall reap VIII whole days in autumn; and shall have every day a wheaten loaf, xv of which are made of 1 bushel of wheat, and 11 herrings at nine o'clock, *ad nonam* ². and he shall pay, *Merchetum* ³ et *Herietum* ⁴. And he shall

¹ The *Nativi* and *Customarii* seem here to mean the same persons, however they may in other parts have been distinguished. In the harvest expences of next reign, herrings, &c. were bought for the customary tenants, which are now said to be provided for the *Nativi*.

² At this time there were but two meals a day; what was called dinner at 9, and supper at 5; and this plan of life was supposed conducive to long life:

Lever a cinque, diner a neuf,
Souper a cinque, coucher a neuf,
Fait vivre d'ans nonante et neuf.

Recreations historiques, as quoted by Dr. Henry, in his History of Britain.

Upon the above authority I have translated, *ad nonam*, at 9 o'clock, which was probably the dining-time of these poor labourers. The ninth hour was strictly (according to the Roman custom of beginning the day at 6 in the morning, which our ancestors used), 3 in the afternoon, when the Religious on fasting-days were allowed to eat their dinner. Hence nona, or the 9th hour, denoted the hour of dinner, at whatever time that repast was taken." Archæolog. vol. VI. p. 152.

³ This was a fine which the tenant paid upon the marriage of his daughter: sometimes it was paid only when she married a man of another village; for then the Lord lost a dependant.

⁴ A *Heriot* was a fine of the best beast paid upon the death, or alienation, of a tenant. The origin of which custom was this. Anciently, when the tenures were military, and for life only, the arms and war horse of the tenant, upon his death went, together with the land, to the Lord, being due to him, as having either been purchased out of profit of the land, or originally granted by the Lord for the public defence, and which therefore should revert to him, that he might bestow them on the succeeding tenant for the like service. But when the feud became inheritable, the reason of the Heriot ceased; and the arms and horse went to the heir, who succeeded to the land. Yet in some manors, the Lord still reserved this custom: and though originally the Heriot was the best horse; yet it came in time to be the best beast; for the tenants, to disappoint their lords, would often sell their arms and horses; and therefore a law was made, that the lord might take the best beast in lieu of them: and so the Heriot came to be esteemed the best beast ever after. And as it arose by custom, or tenure, after the feud became inheritable; hence we find in some manors, a custom of paying it in goods, and in some, in money. Cunningham's Law Dict.

serve

serve the office of head reaper; and the year he shall be in that office, he shall be discharged of half his rents and services: he shall also have meat and drink at the lord's table, if the lord keep house; and if he does not, he shall have the same allowance of corn as a ploughman, and shall have a horse standing in the manor stable, that he may execute any of the lord's business. His son may marry without the lord's licence; but his widow may not¹; and she shall hold during her life the aforefaid tenements². The said Thomas holds also another messuage and xv acres of arable land, for which he pays xii s. a year; iij d. at Christmas for offering-silver, and ii hens. He shall also mow iiii days, and reap as many, for the lord, for which he shall have the same allowances and privileges as before.

All the rest held their lands by rents and services nearly in the same proportion. The hardest terms were those imposed on John Paget, who for a messuage and iii acres paid iii s. and a hen a year; mowed xi days, and reaped iiii, for the lord.

All their rents in money amounted to ciiii s. iij d. The mowing days were xlii; reaping days lx; the offering silver was xviii d. besides i cock, and xviii hens.

Annual outgoings (*Redditus resoluti*).

To the Sacrist of St. Edmund's Bury,	xls.
To the Hundred of Thinghowe,	ii s. iij d.
To the same for the Nowel estate (<i>pro</i> <i>tenemento Nowel</i>).	xviii d. and suit.
To the same for the Stanton estate	xvii d. and suit.
To Nowton Halle for the Nowel estate,	viii d.
To the same for the Stanton estate,	viii d.

¹ And the reason was, she might marry a man who was an enemy to the lord.

² A tenement signified formerly sometimes what we call an estate, that includes both house and lands. At present we call a single house a tenement.

The year after the above survey was taken, Sir William Middleton sold the manor, &c. to Sir William de Clopton: but I shall postpone the account of that family, till I have traced the Talmaches and Bokenhams, who were lords of the other manor, to their extinction: soon after which event, the Cloptons became possessed of both.

TALMACH and BOKENHAM.

A branch of the family of Talmach were seated in the reign of Edward I. at Bentley, in this county, whence they removed in the reign of Henry VII. to Helmingham, the present residence of their representative the earl of Dyfart. They occur also very early in this place, as we have already seen by the funeral of the *lady Cecilia Talmach*, 9 Edw. I. Who her husband was does not appear; but the expences of her interment imply that the family must have been of no little consideration. In the account of Gilbert de Melton, one of the executors, mention is made of *William Talmach*, the other executor, and of *John Talmach*. The former was doubtless the person, whose property was considerable here, as well as at Brockley, Rede, and other contiguous villages, 14 Edw. I. when the survey of this village, before recited at length, was taken. He also married a lady of the name of Cecilia, and died before 7 Edward II. for then a fine was levied between Cecilia the widow of Sir Wm. Talemach, querent, and Thomas, Parson of Somerton, and Roger, Parson of Hauftede, deforciant, of two messuages and six carucates of land, with their appurtenances, in Hauftede, Brockleye, Somerton, and Hertherst; by which the above estate was settled on her four sons, John, William, Edmund, and Thomas Talmach, and their heirs, in default of which it was to go to the right heirs of the said Cecilia.

The

The fee or manor of Talmach seems to have been for some time out of that family; for in the Computus of Henry de Glemham, Robert de Gifford, — de Rokewood, Haimon de Muckelfeld, and William de Middilton the sheriff, of the aid of xls. from every knight's fee granted to Edward III. in the 20th year of his reign, for making his eldest son ¹ a knight; *Edmund de Wauncy* paid xls. for a knight's fee which he and his tenants held in Hauftede of the abbot of Bury, which *William Talmage* (for so the name was sometimes written) formerly held of the said abbot ².

This family began also to sell some of their property to the Cloptons, at the latter end of the reign of Edward III. or the beginning of that of Richard II. For a deed, 6 Richard II. recites, that Sir Wm. Clopton had purchased lands and tenements in Halsted, Whepsted, Nowton, and Brockley, of Sir Wm. Talmach, and died seised of them; upon whose death, John, son and heir of the said Sir Wm. Talmach, entered upon the said lands, &c. and kept Sir Wm. Clopton, son of Sir Wm. deceased, out of the possession of them. This affair was compromised, and 16 Richard II. Sir Wm. Clopton released to Alice the daughter of Wm. Talmage, and wife of *Wm. Bokenham*, and her heirs for ever, all his right and claim to the lands, &c. in Halsted, Nowton, Horningheath, and Whepsted, which he had lately purchased of John Talmage. Witnesses, Walter Clopton, chev. John Bures, John Rookwod, Wm. Rookwod, and others; to this his seal is appendant, see plate III. N^o 6. The same day he released the said Wm. Bokenham and Alice his wife from all actions real and personal, which he ever had, or

¹ This was the Black Prince: and the honour of knighthood was conferred on him, as soon as the army landed in France, the memorable year of the battle of Creci.

² Harl. MSS. 370. p. 1.

could have, against them, from the beginning of the world, to the date of that instrument.

Alice Bokenham was dead (as was probably her husband) before 5 Henry VI. for that year, *John Bokenham* her son and heir was in possession of the estate, which she had inherited; and executed a deed to which is appendant his seal, that bears a fret, which was his own paternal arms, as well as of his mother. See the plate, N^o 8. He lived not long after; and what is something uncommon, was succeeded by a brother of both his names, as appears by the following extract from a deed dated 11 Henry VI.

Omnibus Christi fidelibus, &c. Gilbertus Mylde persona ecclesie de Hauftede, Johannes Woodward, &c. salutem. Noveritis nos predict. Gilb. &c. remisisse, relaxasse, &c. *Johanni Bokenham* de Hauftede totum jus nostrum clameum que unquam habuimus in uno tenemento cum suis pert. in villis de Hauftede, &c. quod nuper habuimus ex dono et feoffamento *Johannis Bokenham senioris, fratris predicti Johannis Bokenham.*

The same year, he did homage for his lands here, as appears by the following certificate:

Hec indentura facta inter Willielmum abbatem de monasterio Sancti Edmundi ex parte una, et Johannem Bukynham de Hawsted ex altera, testatur, quod idem Johannes fecit homagium dicto abbati, in magna camera manerii sui de Elmswell, pro terris et tenementis que clamat tenere de dicto abbate in villa de Hawsted predicta in com. Suff. et solvit feodum camerario. In cujus rei testimonium his indenturis partes predictae figilla sua alternatim apposuerunt. Hiis testibus, Willielmo Wytlyseye, Adam Bury, Theodorico Hertford, monachis; Johanne Croftys, Thoma Peyton, et Willielmo Berdwell, armigeris. Datum apud Elmswell predict. vicesimo primo die mensis Januarii, anno regni regis Henrici VI^{ti} post conquestum undecimo.

The seal of William Curteys the abbot, of red wax, is appendant to it, and charged with the representation of the story of St. Edmund's head being found by a wolf. The same legend is also alluded to in the seal of Clement Denston. See the plate.

This John Bokenham was married the next year (12 Henry VI.) to a woman of the name of Alice, when he entailed his
estate

WALTERUS de CLOPTON, filius WILL. de CLOPTON, vixit, uti colligo, Temp. Ric. I.

WILLIELMUS de CLOPTON feudum suum habuit in Wickham Brook, com Suff. 43 Hen. III.

Alicia, uxor prima, filia et cohæres natu-
minor Warini filii Hugonis. WALTERUS de CLOPTON, fummonitus
contra Scotos 29 Edw. I. Ivetta filia & hæres
..... de Weyland.

CLEMENS de CLOPTON.

Ivetta filia Thome de
Grey Militis.

WILL. CLOPTON Miles; Maria filia Will.
he purchased the manor of Cockrel Mil.
2 Hen. V. to William son of
Hawfild 33 Edw. III. and
died before 6 Ric. II.

THOMAS de CLOPTON Miles,
natu minor; he acquired the
manor of Kentwell in Melford,
Suff. by his wife.

Catharine filia Will. Mylde Arm. tertia uxor;
renupta Will. Tendring Mil.

JOHANNES de CLOPTON.

WILL. de CLOPTON Miles;
he sold the manor of Hawfild
2 Hen. V. to William son of
Sir Thomas CLOPTON.

WILL. CLOPTON,
son and h. died S. I.

EDM. de CLOPTON. Blanchia Fitz-Eustace,
died 13 Ric. II.

JOHN de CLOPTON.
THO. de CLOPTON.

WALT. de CLOPTON. Eliz. filia Joh.
Eygot Mil.

Margeria filia
Rog. Drury
Mil. d. 1420.

WILL. de CLOPTON,
Arm. d. 1446.

Margeria, f. et
h. Eliz. Fran-
ceys, d. 2 Hen. VI.

WILL. CLOPTON Mil. Frances, dau. of
..... Truffel,
and widow of Sir
Robert Salle.

ALICIA = Thomas Bendish,
CLOPTON.

ELIZ. = Joh. Barwick,
CLOPTON. Esq;

WILL. CLOPTON,
d. 1420.

CATHARINE = Joh. Denston,
CLOPTON. Esq;

JOHN CLOPTON. Alicia
Darcy. 30 Hen. VI. died
old 13 Hen. VII.

ALICIA = John, son of
CLOPTON. Rob. Darcy,
Esq;

ELIZ. = Rob. Caven-
dish, serjeant
at law.

Joane, daughter of
William Marrow,
of Stepney.

Sir WILL. CLOPTON.
of Kentwell; he sold
Hawfild to Sir Robert
Drury, 20 Hen. VII.

Thomasine, 2d sister and
heir to Edm. Knevet, of
Stanway, Essex.

Sir EDM. CLOPTON; he is
called in the Rookwood Pedigree,
Rodiorum Eques Perce-
lebris.

ANNE = Thomas Rookwood, of Staningfield; from this
match the present Sir Thomas Rookwood Gage,
of Coldham-Hall in Staningfield, bart. is de-
scended.

EDWARD CLOPTON, 3d son.

A Daughter. = Curfon.

JOHN CLOPTON, of Kentwell, in
Melford. Eliz. sole dau. and heir
of Thomas Roydon
and Marg. his wife, 1st
sister and heir of Edm.
Knevet, of Stanway, Essex.

1st Daughter. = Jeffery
Gatus.

2d Daughter. = Joslin.

ANNE = Rich. Puley,
CLOPTON. of Boxted.

ROB. CLOPTON,
a priest.

WILL. CLOPTON,
2d son.

Eliz. dau. and
coheir of Tho.
Say, of Liffon
Hall, in Essex,
Esq;

Mary, dau. and
heir of Sir Rich.
Bozum, of Lin-
colnshire, knt.

RICH. CLOPTON,
of Forchall, Mel-
ford.

Margery, dau. of
Sir Will. Playters,
of Satterly, knt.

FRANCIS = Nevil, 1st wife;
CLOPTON. dau. of Sir Tho. Haffet, 2d wife;
of Melford. Bridget, dau. of Sir Rob. Crane,
3d wife.

JOHN CLOPTON, = dau. of
of Monk's Ely, Rob. Rydell,
Suffolk. relict of Hub-
bard.

ANT. = dau. of
CLOPTON. Hubbard.

GEORGE = Alice, dau. and
CLOPTON. coheir of Sir
Steph. Peacock,
of London.

EDWARD CLOPTON.
FRANCIS CLOPTON,
died 1576.

Margaret,
dau. of Sir
Thomas Jermy,
knt.

WILL. CLOPTON,
son and
heir.

Mary, dau.
of George
Perient.

FRANCIS CLOPTON. = Olive
Gavill, of Norfolk, 1st wife;
Lora, dau. of Sir Roger Went-
worth, 2d wife; Mary, 4th dau.
of Edm. Walsingham, of Kent,
widow of Sir Tho. Bernardiston,
3d wife; Elizabeth, dau. of Sir
Tho. Bernardiston, of Ketton,
knt. widow of Brookby,
of Suff. 4th wife.

WILL. CLOPTON,
son and
heir.

Elizabeth,
dau. of
..... Eve-
rard, of
Denston,
Suffolk.

MARY = Sir Will.
CLOPTON. Cordall,
of Mel-
ford Hall,
master of
the Rolls.

WILL. = Mary, eld-
est dau. of
Edward
Waldgrave,
of Lawford,
Essex, Esq;

FRANCES = Bowes; adly,
CLOPTON. Doctor, of York.
THOMAS = Aldham; adly,
SINE C. Kichley,
ELIZ. C. = Nic. Hobarde.
EMMA C. = Smith, of Cavendish
MARY C. = King, clerk to Sir
Will. Cordall.
GILLIAN C. = Throckmorton.

* He was the first that built and lived at Cattlev's, in Gtton, Suffolk,
and spent his patrimony. He was one of the justices for the Hundred of
Babergh 1614. His uncle Francis gave him all his lands and inheritance.

MARG. = Edmund
CLOPTON. Estatevill.

ANNE = Hammond
CLOPTON. Claxton, of
Chediston,
Suff.

ELIZ. = John Smith,
CLOPTON. of Hundon,
Suff.

WILL. = Anne, dau. of
CLOPTON. George
Elmes.

FRANCIS C. = Bridget,
d. S. I. dau. of
Robert Crane.

THO. = Dorothy,
CLOPTON. dau. of
eldest son, ... Bar-
ley, of
Essex.

THOMAS CLOP-
TON, of Kentwell,
died 1597, born at
Melford.

Mary, dau. of
Sir Wil. Wal-
degrave, of
Smalbridge,
Suff. d. 1599.

BRIDGET = ... Staf-
CLOPTON. ford.

WILL. CLOPTON, = Anne, dau.
son and heir. of Sir Tho.
Bernardiston.

Anne, dau. of Sir
Thomas Bernard-
iston, of Clare,
Suffolk.

Sir WILL. CLOPTON. = dau. of
knighted at Newmarket
Feb. 20, 1613. Sir Giles
Allington.

WALTER CLOPTON.
ELIZ. CLOPTON.
MARY CLOPTON.

ANNE CLOPTON, dau. = Sir Simonds D'Ewes, Stow-
and sole heir. langtoft, Suffolk, died 1650. = Eliz. dau. and coheir of Sir Henry Willoughby,
of Resley, Derbyshire, bart.

Sissilia D'Ewes, died 1661, buried at Melford, = Sir Thomas Darcy, bart.

WILL. CLOPTON. = Anne, dau. and heir
of John Wiseman,
of Stisted, Essex.

FRANCIS = dau. and
CLOPTON. heir of
Shorte, Suff.

ANNE = George Parris, of
CLOPTON. Dullingham,
Cambridgeshire.

MARY = Will. Smith,
CLOPTON. of Thorn-
don, Suffolk,
1st husband;
George
Wheatcroft,
Suffolk, 2d
husband.

THOMAS CLOPTON. = Elizabeth Sparrow, of Finchingfield.

WILLIAM CLOPTON. = Eliz. dau. of Sir Will. Poley, of Boxted, Suffolk.

WILLIAM CLOPTON. = Poley CLOPTON, M. D.
died a bachelor, 1730.

ELIZ. = Edw. Crispe, Esq; of Bury
CLOPTON. St. Edmunds, died S. I.

ELIZ. CLOPTON. = Rev. Gilbert Affeck,
of Dalham, Suffolk.

HANNAH CLOPTON. = Martin Folks, Esq; of Chevley,
Cambridgeshire.

estate upon his issue; of which, I suppose, despairing, 26 Henry VI. he sold “ alle hese londes and tenements, wodes, “ medes, and pastures, rents and services, whiche were late to “ on John Bokenham, brother on to the seid John Bokenham, “ as they lye within the townys and felde of Hawsted, Horn- “ ingherthe, Nowton, and Whepsted, in the shire of Suff, for “ the some of a cxl. of good and lawfull money,” to John Marshall, Esquier, reserving to himself and his wife a life-estate therein; and subjecting himself to this strange condition; “ also “ the seid John Bokenham schall fynde sufficeaunte surete in “ c^l. to the seid John Marshall, if so be that the weiff of the “ said John Bokenham deye, that he schall wedd noo woman “ by whom he may have any issue.” This caution proved unnecessary. He probably did not live long after this; nor did his wife long survive him, dying his widow in 1452, as appears by her will, already recited, p. 16. So that Marshall must have been fortunate in his purchase.

Thus ended, in this place, the interest of the Talmaches, and the Bokenhams their descendants, who had continued here for at least 166 years,—a longer establishment than any succeeding lords maintained.

CLOPTON.

By a fine ¹, levied 33 Edward III. it appears, that Sir Wm. de Clopton and Mary his wife, bought the manor with the appurtenances of Sir Wm. de Middilton and Isabella his wife; the latter reserving to themselves an annual rent of xx s. out of the manor. The purchase is thus described; the manor of Hauſtede

¹ The deed is indented at top, and on the side where the lines end; the edges marked with some dimidiated capital letters, grown very faint and obscure.

with its appurtenances, the advowson of the church, one toft, 200 acres of arable land, 8 of meadow, 12 of wood, fix fhillings and eight pence rent, and $\frac{1}{2}$ pound of pepper, with the homages and all the services of Wm. de Pembregge, and 14 others. The purchase-money was 600l. as appears by the following receipt in full.

Noverint univerfi, quod ego Willielmus de Middilton recepi de dño Willo de Clopton milite centum libras in auro et argento, in perfolutionem sex centum librarum, in quibus michi tenebatur pro vendicione manerii de Haufted fibi facta: de quibus sex centum libris fateor me bene et fideliter fore pacatum; et predictum dñm Willielmum heredes et executores fuos inde fore quietos in perpetuum per presentes. In cujus rei testimonium huic presenti scripto figillum meum appofui. Datum apud Clopton die Martis proxime poft feftum Sancti Gregorii Pape, anno regni regis Edwardi tercii poft conquestum tricesimo quarto.

The feal is ftill entire, except part of the circumfcription, and may be feen in the plate, N° 5.

At the fame time, Sir Wm. de Clopton fettled his purchafe, after the death of himfelf and his wife, upon Thomas their fon, and his heirs male.

Sir Wm. died before his wife; for ſhe was lady of the manor 10—13 Ric. II. as appears by the accounts of John Clerk, who calls himfelf Ballivus ¹ Domine Clopton de manerio fuo de Hauftede: from them I ſhall ſelect a few particulars.

In 1386, among the *Redditus affiſi*, ſet or ſtanding rents, is xvijjd. rent, called *Clothing Silver*, paid at Chriſtmas. *Firma terre et paſture*; a garden called Nowell, let for xs. a year. *Exitus manerii*, iſſues or profits of the manor; LXijs. viijjd.

¹ The *Bailiff* was next in dignity to the Steward. He was to riſe early; and go round the whole farm, to ſee if every thing was as it ſhould be. It was his duty to take care that all the labourers in huſbandry performed their taſks properly; and in ſhort to attend to every thing that concerned the cultivation and good management of the demeſne. He was not to board in the houſe, but be allowed wages to find his own victuals. *Fleta*, Lib. II. Cap. 73, where the duties of his office are ſet down in detail. Many curious particulars in ancient economics may be found in that author.

for

for ^M_{II} ^C_{III} L faggots; fruit of the garden; xvjs. for keeping sheep; for letting out the lady's carts xiijs.; for letting out her ploughs, iijs. ijd. Among the *Redditus resoluti*, or outgoings; paid annually to the Sacrist of St. Edmund's Bury, xls.; to the bailiff of the hundred, vs. iiijd.; to Nowton Hall, ix d.; to the hundred for fuit, xvjd. Among the *Custus minuti*; shoeing the steward's ¹ (*Seneschalli*) horse, vjd. Rewards to the servants of the manor vjd.; for the tax of our lord the king, for half a quindene (*pro di quiden.*) vs.—*Stipendia famulorum*; wages of the bailiff xiijs. iiijd. a year; of the carter, vjs. viiij d.; of the deye, vs.; 1 qr. iiij b. of oatmeal for potage for the servants.

In 1389, among the *expensa forinfeca*, or extraordinaries; expences for the lady Erpingham, with her servants and horses, vijs. viij d. ². A horse bought for the rector, and presented to him
by

¹ The *steward* was the head servant belonging to a great person. He was to hold courts; and attend to, and preserve, all the manerial rights. He was to take care, that all the offices belonging to the mansion house were well locked. He was to have an inventory of all the stock on the manor; to see that the serjeant, bailiff, and other servants, behaved themselves properly, and did not waste their time at *Disseisins*, frays, wrestling-matches, ale-houses, and *Vigils*; that all of them, upon their entering on their service, produced proper security for their good behaviour. He was every night to receive an account, from the different departments, of all the consumption in the family. In short, all the domestics were to be answerable to him; but he could dismiss none. That power was reserved to the lord. Fleta, lib. II. cap. 72.

² How money came to be paid, I know not: afterwards are mentioned 1 quarter and 1 bushel of oats for the lady Erpingham's horses. These allowances were formerly delivered with so much accuracy, that the extraordinary expences occasioned by visitors were always set down; the names, arrival, and stay of such visitors being specified in the groom's roll, which was examined every night by the steward. Fleta, lib. II. cap. 74.

This lady Erpingham was daughter of the lady Clopton. For Sir Thomas Erpingham of Norfolk married Joan the daughter of Sir Wm. Clopton. Of this beautiful and virtuous lady and her husband, Blomefield in his Hist. of Norfolk, Vol. III. p. 647, has transcribed a remarkable story, half serious and half comic, from Heywood's *GYNAIKEION*. That he was mistaken in calling this lady his second wife, and saying (V. II. p. 514.) that his first died in 1404; see what he
says.

by the lady's order, xxvjs. ix d. Paid Stephen the bellman for a new bell, by the lady's order, xxvjs. viij d. The expences of a man and a carter to Sudbury [17 or 18 miles] to fetch tyles for the friers at Babwell, xvij d. The expences of a carter to Mil-denhall [12 miles] to fetch rushes¹ for the lady, vjd.

How long this lady lived, I know not; nor whether *Thomas Clopton*, her son, upon whom, as we have seen before, the manor was settled, after the death of his father and mother, ever lived to possess it; if he did, it was not long; for before the end of Ric. II. it was vested in his elder brother, Sir *Wm. Clopton*, who suffered some enormous outrages from *Philip Fitz Eustace* and others, as may be gathered from a roll in my possession 6 feet long, containing pleadings in the court of King's Bench, Westminster, in the reigns of Ric. II. and Henry IV. By these it appears, that Sir Wm. Clopton brought his action against Philip Fitz Eustace, John Heyden, John Clerk, chaplain, Hugh de Baldwyne, Roger Gebon, Thomas his brother, John Laufele, John Smyth of Ashton, and John Waryn, for having, on the Sunday before Michaelmas, 21 Ric. II. with force and arms, that is, with fwords, bows and arrows, broken into a close in Hauftede, belonging to the said Sir Wm. and cut down there xx oaks, c ashes, and xl poplars, and carried them off, together with other goods and chatels, namely, linen and woollen cloths, vessels

says himself, V. I. p. 53. The arms of this match, Erpingham (V. an inescutcheon in an Orle of Martlets A.) empaling Clopton, I saw a few years ago in a window at Kentwell Hall, in Melford, the seat of the Cloptons.

¹ With these her apartments were to be strown. Bullein, in his "Bulwarke of Defence," printed 1562, says, "Rushes that grow upon dry ground be good to strew in halls, chambers and galleries, to walk upon, defending apparell, as trains of gowns and kertles, from the dust." p. 21. Thomas of Becket was thought finical and extravagant for having fresh rushes, every day, "for spoiling of the cloaths." Shakespeare frequently alludes to this custom; which in 1771, I observed was kept up in the council chamber at Hull, and in the room opposite to it; and which I recollect not elsewhere, except in some unpaved churches.

of

of silver, brass, and copper, and other utensils belonging to his house, besides barley, beans, pease, and oats, to the value of xli.

Fitz-Eustace, who was the principal, after various delays put in his answer, and alledged, that the close into which he had broken, and the trees which he had cut down, and carried away, belonged to him, and not to Clopton. To the rest of the charge he made no reply. He was found guilty of the whole, and adjudged to pay xxijl. damages. To avoid payment, he availed himself of all the procrastinations and evasions which the law has always allowed; and it does not appear that the business was concluded, 9 Henry IV. Yet during this litigation, namely, on the Thursday after the feast of St. Bartholomew, 8 Henry IV. *Robert Fitz-Eustace*, probably a brother of Philip, had given up to Sir William all claim to the manor of Hawsted, both for himself and his heirs.

What a picture of the violent mode in which our ancestors suffered their animosities against one another to burst forth! The cutting down trees might perhaps tend to the ascertaining of right; but the carrying off corn and household furniture could proceed from nothing but the lawless and ferocious manners of the age: and what aggravated the enormity was, that the parties were nearly related; for it appears by the pedigree, that Edmund Clopton, Sir William's brother, had married a Fitz Eustace. I wish that these disorders had been confined to the laity; but one of the above-named rioters was in orders; and I doubt the excesses committed by ecclesiastics form part of the character of early times. 1 Edw. III. no less than 32 clerici, among several townsmen of Bury, were convicted of a most daring assault upon the abbey¹. The mutual hatred of the seculars and regulars was excessive.

¹ *Registrum Vestiarii*; among the collectanea of the late Sir James Burrough, master of Caius College, Cambridge, who in 1764, bequeathed to the library of St. James's
P

Let us now for a moment turn our thoughts to a more pleasing subject. During this vexatious disturbance, Sir Wm. Clopton granted to Thomas Smyth a piece of ground called Dokmedw, in Hauftede, for the annual payment of a rose, at the nativity of St. John the Baptist, to Sir William and his heirs, in lieu of all services. Dated at Hauftede, on Sunday next before the feast of All Saints, 3 Henry IV.

Ancient deeds are often dated on a Sunday, being executed in churches or church-yards, for the greater notoriety.

But I should not have noticed this instrument, if it had not been for its giving me an opportunity of illustrating ancient manners.

The rose was formerly a greater object of luxury than it is at present. The water distilled from it gave a flavour to a variety of dishes; and served to wash the hands at meals; a custom still preserved in some of our colleges¹. At marriages and other festivities, the guests wore chaplets of roses. The author of the romance of Perce-Forest, describing an entertainment, says, every person wore a chaplet of roses on their head. The constable of France (and probably other great officers, at other courts) when he waited on the king at dinner, had one of these crowns. Women, when they took the veil, and when they married, were thus adorned. Warriors wore their helmets encircled with these flowers, as appears from their monumental figures. This fondness of our ancestors for this fragrant and elegant flower, and the various uses to which they applied it, explains a particular that at first sight seems somewhat whimsical, which is, the *busbels of roses*, sometimes paid by vassals to their lords. For part of the above I am indebted to the agreeable author of "*Histoire de la vie privée des François*," Vol. II. p. 221.

James's church, in Bury, a MS. folio and quarto, which would be of considerable use to an historian of the abbey and town.

¹ And also in many of the public halls of the liverymen of London. J. N.

The single rose paid as an acknowledgement, was the diminutive representative of a bushel; as a single pepper-corn, which is still a reserved rent, is of the pound; a payment, originally of some worth, dwindling by degrees to a meer formality.

Tired out, I suppose, with the vexations attending his property in this place, Sir William by a deed in French, dated at Melford, 2 Henry V. conveyed the manor with its appurtenances, which had been his father's, to *William Clopton*, son of Sir Thomas, and who was his first cousin.

But he could not ensure him the quiet possession of his purchase; for the family of Fitz Eustace, and their connections, appear to have quitted their property here with great reluctance, and given their successors every possible molestation. For not many years after the outrageous attack before mentioned succeeded another much more disingenuous and formidable. The first notice that occurs of it is from the following writ out of the court of chivalry, preserved in Harl. MSS. N° 1178. 36. and thus entitled in the catalogue; “A writ in French of John duke of Bedford, Constable of England, requiring John duke of Norfolk, and Marshall of England, to bring William Clopton, of Suffolk, esq. to answer in the court of chivalrie to Robert Eland of the county of Lincoln, esq. who charged the said William Clopton with putting his seal of arms to a false and forged deed.”

Johan Filz, frere et uncle au roys, duc de Bedford et d'Anjoy, conte de Richmond et de Kendal, et conneftable d'Angleterre, a notre trescher cousin Johan duc de Norfolk, marschal d'Angleterre, saluz. Nous vous mandons et chargeons, que vous fates arrester et venir devant nous, ou notre lieutenant, a Westminster, a le quinsime du Saint Hillar prochain venant, William Clopton de conte de Suff. esquire, pour adonques respondre devant nous, ou notre lieutenant, en la cour de chivalerie, a Robert Eland esquire de conte de Nicholl¹, de ce que le dit Robert adunques luy surmettra par voie d'armes, touchant ce qu'il fauxment et encontre honeste et gentileffe d'armes, a mis et appose le seal de ses armes a un faux et forge fait, aux dommages du dit Robert de^{lb} et plus, a ce qu'il dit. Remandañts

¹ Lincoln.

par devant nous au dit jour, ou icest notre mandement, tout ce que vous en avez faitz. Donne sous le seal de notre office le 23 jour de Novembre l'an du regne du nostre senior le roy Henry sixime puis le conquest d'Angleterre septiesme.

This curious record shews with what formality affairs of honour were formerly adjusted. We now proceed in a much more summary manner. The charge was of a very serious nature: whether the court came to any decision about it, or whether any combat ensued, does not appear: but probably neither; for we soon after find the parties engaging in another court, and with arms very different from those of chivalry. For in Easter term, 8 Henry VI. William Clopton and William Galyon esquires, brought an action in the court of King's Bench, against Roger Bernerdeston, of Kedyngton, in the county of Suffolk, gentilman, and Robert Eland of Ratheby, in the county of Lincoln, gentilman, and Elizabeth his wife, for having caused, on Sunday next before the exaltation of the holy cross [14 Sept.] 8 Henry VI. to be published and read at Kedyngton and Melford, in the county of Suffolk, two deeds, by virtue of which the said Robert and Elizabeth claimed the manor and advowson of Hauftede, to the disturbing of the said William and William in the possession of the same, to their damage of m^l.

Eland pretended that the said manor and advowson were granted and confirmed 17 Edward III. by Sir Robert Bretonn, knight, William de Rokelond, and Robert de Hilderde, to Sir John Fitz Eustace and Elizabeth his wife, and their heirs, in default of which to the heirs and assigns of the said John for ever. And that by virtue of a letter of attorney from the said Sir Robert, William, and Robert, directed to Sir John de Welnetham, knight, Richard Freffell, and Sir John de Bradefeld, rector of the church of Haufted, the said John and Elizabeth were put in full possession of the said manor and advowson. That from the said John and Elizabeth the said manor and advowson descended to their son
John,

John, whose daughter Elizabeth was then the wife of him the said Robert Eland, who claimed the same in her right. The deeds upon which he founded his claim were produced and read in court.

There is one circumstance in the pleadings that may be worth remarking, which is, that in an age when they were so careless in orthography, that if the name of a person, or place, was recited twice in the same deed, it was generally spelled two different ways ¹, Eland should quibble about a letter, alledging, that he lived at *Raytheby*, and not at *Rattheby*, as set forth in his adversary's bill.

But even in this court this affair was not determined, but referred to arbitrators, whose award, though rather long, is too curious not to be transcribed.

To all trewe cristen men to whom this present wrytyng cometh to, we Clement Denston, clerk, Richard Alred and Robert Peyton, we sendyn zou gretynge in God everlastynge. Know ze that whereas we the seyd Clement, Richard and Robert, arbitrators chosen betwene William Clopton and William Galyon on the oon partie, Robert Eland and Elizabeth his wyf, and Roger Berneston on the other partie, be bothe parties assent chosen, upon the right, title, and possession of the maner of Hauftede, in the shir of Suff. with the appertenances, and the avoyson of the chirch of the same towne, awardedyn be our dedes endeded tripartite, which beren the date in the fest of Seynt Symond and Jude, the zer of the regne of kyng Harri the sixte after the conquest the xijthe. Ther as the seid Robt. Eland shewith a dede endeded and seyth, that the seid maner of Haufted shuld be tailed to his wyfe; and William Clopton and William Galyon seyn, that it is a fals dede and a forged; and theruppon they token axcion of forgyng of that dede in the Kynges Bench ageyn the said Rob. Eland, Elizabeth his wyf and Roger Berneston: and the seid Wm. Clopton and his counceill han shewed and declaryd to us the seyd arbitrators, that the maner of Hawfted with the appertenances was zone to Sir John Fitz Eustace and to Elizabeth his wyf, and to the heires of Sir John. And the letter of attorne was accordyng to that dede; and as Wm. Clopton seyth, that Eland or on for hym hath rased that dede, and newe wretyn it ayen, and made therof a dede in the taile. And Wm. Clopton and his counceyl declared, that the dede that is untrew is not of the hand in wrytyng, ne of ynke of the letter of attorne, which letter is trewe in wrytyng. And ther as the dede and letter of attorne

¹ Of this the award that immediately follows may serve as an example; where the orthography is continually varied.

were put in *daying* divers tymes er than we the feid arbitraitors medlyd therwith; that is to sey, whan John Symond, recorder of London, and John Doreward squyer of Essex, Robert Caundish, Thomas Fulthorpe, and Wm. Goodred, sergeaunts of the lawe and other recordedyn, that it is the same dede that they sye; and Robert Caundysh seyth, he myght not have the dede of Eland to sen it out in the light ayenst the sonne, atte leyser. And now we thre arbitrators han the dede, and mowe sen it ageyn the sonne at our leyser, we seyn how it was lyke to have be wrote befor, and was rased of that letter, and sith wreten ther on azen with a dede and a feble ynke to seme old, and the ynke untrewly gommyd, that with esy handelyng the ynke wull faden, and weryn away: ther as the letter of attorne is wretyn with a trewe ynke; and for any handelyng wull last as a trew dede asketh. Also we the feid arbitrators han full knowlich of all the olde men aboute Hausted, and of a worshipfull perfon that dwelled with Sir Wm. Clopton knyght, whan he bought Hausted, that highte Sir Robert Clerk, seyde uppon his deth bedde, that ther was never non suche taylor as the feid Robert Eland speketh of, ne non seifyn delyvered be none suche dede, ne never was taylor of the maner of Hausted herd of, to any of the Fitz Eustach, but a taylor to the heir malis, the which was made be fyn to Fitz Eustach, and that was determyned as he seith. And now we han the dede that the said Robert Eland shewed, and atte our leyser mowe sen it in the sonne, we have fully perceyved that it was lyke to have be wrote beforne tyme, and is now rased, and newe wretyn ageyn. So that we the said arbitrators fully we knowe that it is an untrew dede and forged. Wherfor we the feid arbitrators awardyn that the feid William Clopton han that untrew dede to cancellle it, and to don therewith as him lyst. In wittenesse that this was our entent, and the cause of our award and accorde as for that article of the untrue dede, we the seyd Clement, Richard and Robert, arbitrators in the articles above reherced, han sette to our seeles. Wretyn in the Fest of Seynt Symon and Jude, the zer of the regne of kyng Harry the Sixte after the Conquest the xijthe.

All their three seals are entire. That of Denston, who was archdeacon of Sudbury, is engraven; see the plate, N° 3: the wolf and St. Edmund's head appear towards the bottom. Alred's, a noble one, almost $1\frac{1}{2}$ inch in diameter, bears a chevron engrailed between three griffins heads erased: Peyton's, a cross engrailed, in the dexter quarter a mullet.

Thus was this tedious business finally arranged; and the charge of forgery retorted and proved upon Eland.

During the time of this dispute, there seems to have been a manumission of the Nativi; for in a rental of 7 Henry V. is this; “ Jam sequitur de terris et tenementis modo demissis ad
2 “ firmam,

“ firmam, que quidem tenementa nativi tenentes ab antiquo
 “ tenuerunt.” The manor this year was said to be of the clear
 yearly value of xlijl. xvs. ix d. and half a pound of pepper.
 This last was paid for a piece of land called eleven acres, near
 Gag’s Green, which lies at the northern extremity of the village.
 Nowell’s Garden was let for xs. a year.

William Clopton died in 1446, and was buried in Melford
 Church in this county, where his figure in armour lies on an
 altar monument within an arch, at the upper end of the North
 aisle. Within the arch are painted these escutcheons :

1. S a bend A. ¹ between 2 cotises dancette O. *Clopton.*
2. A lion rampant S fefs compon. O and B. *Mylde.*
3. Clopton empaling A, in a chief V 2 mullets pierced O. *Drury.*
4. Clopton empaling G, a saltire between 4 croffes patté O.
Franceys.

On the front of the monument is a brass plate with this epitaph,
 which shews, that however the virtues of the subject might
 entitle him to the love of mankind, when alive, the Muses did
 not much befriended him after his death :

Dapilis et largus, prudens, et in omnibus Argus
 Artibus et gnarus, generoso sanguine clarus,
 Conditur hoc Tumulo Clopton Will’us in arto,
 Sed nimis exiguo, tanto virtutis amico.
 Hic dum vivebat prudentis nomen habebat
 Iuste ; nam cunctis dare suebit sensa salutis ;
 Consiliumque petens fit leci⁹ inde recedens
 Quam veniens : nempe discordes pacis amore
 Nectere gaudebat, dape quos propria refobebat.

¹ Sometimes the bend was Ermine, as in Hawsted chancel window. Sometimes
 it had only one spot, as on the tomb of a Rookwood in Stanningfield church ;
 sometimes the spot, and 2 annulets interlaced, as in Glemsford church : sometimes
 only one annulet, as it was borne by Sir Walter Clopton, who was present with
 Henry V. at the siege of Rohan. Harl. MSS. 1386. p. 84.

Pauperibus patuit sua Janua semper, abibit
 Nullus ab hac vacuus indigena seu peregrin⁹.
 Quid moror? heu fera mors ut rata vult sores
 M. C. quater, sexto Christi quater & simul anno
 Huic mundo rapuit qua Xpc. luce quiebit,
 Augusti mense, post festum virginis alme,
 Quarta nempe die, Bernardi vigiliæ;
 Huic thori socia fuerat Margeria bina:
 Prima fuit nata Darcy¹, Fraunceysq; secunda.
 Funus utrique fatum tulit heu male. Prime
 Bis decima luce si nonas de'ps'is inde,
 Anno milleno d'ni c quaterq; vigeno.
 Quarto post anno ruit altera die duodeno,

He was succeeded by his son *John Clopton*, of whom, as connected with this village, nothing occurs. He was sheriff of the counties of Norfolk and Suffolk 30 Henry VI. married Alice Darcy of Maldon, in Essex, and died advanced in years 13 Henry VII. He and his wife are buried under an altar monument of grey marble, within an arch, on the N. side of the communion table at Melford: and at their heads are still remaining their portraits kneeling, painted small in fresco, with the arms of Clopton and Darcy (A 3 cinquefoils G) on their dress. It should not be omitted, that not long before his death he was instrumental in at least repairing, perhaps re-building, that most beautiful chapel, now used for a school, at the E. end of Melford chancel, as appears by the following inscription on the battlements:

Pray for the soule of John Wyll, and for the soule of John Clopton, Esqwyre, and pray for the soule of Wycharde Lobeday, Boteler with John Clopton, off whos godis this chappel ys imbaytyld, by his executors. Pray for the soulis of William Clopton Esqwyre, Margery, and Margery his wiffis, and for all ther parentis and children. And for the soule of Alice Clopton, and for John Clopton, and for all his chyl dren, and for all the soulis that the said John is bounde to pray for, which deed this chappel new repare. A° D'i M°CCCC°LXXXVI.

¹ This is a mistake of the engraver's for *Drury*, as appears by the pedigrees of both the families. as well as from the arms on this monument.

In a deed in his time, mention is made of the *camping* ¹ *pightel*, which joined to the east-side of the church-yard: this, with the *church-house*, was let, in the next reign, for xiijs. iiij d. a year. The field has entirely lost its name, which is the more remarkable, as in some parts this active game of our ancestors is still much in fashion. There is also a large ploughed field, in which a strip of glebe land lies, belonging to Filet's farm, called *Julian's*. The labyrinths, and mazes made of earth-works, the scenes of rustic diversions of old, were in some parts called *Julian's Bowers*. If any such existed here, as from the name there probably did, the plough has levelled them, as in other places, and the very tradition of the sport is forgotten ².

After his death, Sir *Wm. Clopton* his son became possessed of this manor; and 19 Henry VII. by the name of Sir Wm. Clopton of Melford, in the county of Suffolk, knight, son and heir of John Clopton, esquire, enfeoffed Sir Wm. Waldegrave, knight, Sir Robert Peyton, knight, and several others, in it, to the use of his will. To this deed he affixed the seal of Franceys, his grandmother being an heiress of that name: it is of red wax, near an inch in diameter; the shield is represented as hanging on a tree, which diverges at top into two round heads.

The next year he sold the manor and advowson, with their appurtenances, to Sir *Robert Drury*, knight, in exchange for the manors of Hensted and Blomstons, in this county, and M marcs, cc of which were paid in hand; and the rest were to be paid by installments, between the hours of nine and ten in the forenoon,

¹ Camping was not only good exercise for the performers themselves, but supposed also to be such for the field on which they engaged, according to Tupper;

In meadow or pasture (to grow the more fine)

Let campers be camping in any of thine;

Which if ye do suffer, when low is the spring,

You gain to yourself a commodious thing.

² See Hutchins's History of Dorsetshire V. I. p. 100.

at the roode altar in the church of the monastery at St. Edmund's Bury. The deed is dated 16 Nov. 20 Henry VII. and signed within the fold of the parchment, William Clopton, though it is only said that the parties have interchangeably set their seals. The seal is broken off. Several receipts on paper for the purchase-money are still extant, and signed, "*By me Wylliam Clopton, knight.*" His seal, a ton, out of which issues some plant, perhaps a caltrop, which might be contracted to the first syllable of his name.

Sir William, 12 Feb. following, suffered a recovery of the manor, &c. to the use of Sir Robert Drury. To this is appendant a seal of green wax, represented in the plate N° I. and two days afterwards, John, Robert and William, sons of Sir William, released their title in the said manor, &c. to Sir Robert.

Thus ceased this family's interest here, after a continuance of better than 140 years; and the Drurys now engrossed almost the whole village.

The Cloptons took their name from a village in this county: from which they were probably detached very early, as there is no record that mentions their having any possessions there. William de Clopton had property at Wickhambrook, 43 Henry III. and his grandson Sir Thomas acquired the manor of Kentwell, in Melford, by marrying Catharine the daughter and heiress of Wm. Mylde or Meld, who died 48 Henry III. It was his brother Sir William who purchased this manor, and probably resided here: but his son selling it to William son of Sir Thomas, the family quitted this place, residing at their noble seat called Kentwell-Hall, in Melford, where they continued till Sir *William Clopton* left an only daughter and heir married to Sir Simonds D'Ewes. Their only daughter Siffilia, who died in 1661, was the wife of Sir Thomas Darcy, bart. Soon after the Revolution, that estate was in Sir Thomas Robinson, bart. whose grandson
Sir

The GENEALOGIE, PEDIGRE, and DESCENTE, of the ancient Familie of the Surname of DRURY.



DRURY, a Norman gentleman, came in with William the Conqueror.

JOHN DRURY, Esquire, sonne of the Norman, was of Thurston, near Bury, in Suffolk.

JOHN DRURY, Esquire, sonne of John, was of Thurston. Approved by sundry deeds without date.

HENRY DRURY, Esquire, sonne and heire of John, was of Thurston, as appereth by dedes sans date.

JOHN DRURY, Esquire, sonne and heire of Henry, is in sundry dedes, sans date, called *John of Thurston*.

The right worshipful and most plentiful family of the DRURYS, descended from a gentleman of that name, who, as in the Roll of Battail Abbey appeareth, came from Normandy with King William the Conqueror, anno MLXVI. in which dukedom there is remaining, at this day, a place so called, and fundry of the surname. The offspring and issue of this Norman gentleman hath greatly encreased and multiplied, and most prosperously continued unto this time, 1602, being divided and spread by many branches, and settled houses of good revenue and estimation, in sundry counties of the realm. Part of which, with their issue and matches expressed, and arms depicted, together with certain collaterals, and hereditable houses with whom they joined, are faithfully, particularly, and carefully delivered; in which the travail and endeavours of Thomas Drury, of the Inner Temple, Gent. fourth son of Sir Robert Drury, of Rougham, in the county of Suffolk, Knt. hath been very great, as well in searching and perusing divers records, evidences, notes, pedigrees, and monuments, approving the true descent of this family; as also in being the occasion, that this pedigree hath been reduced into the method following, as appertaining, in the first place, to his said father, the eldest house of the whole family, which hath continued many years in good reputation, replenished with knights and esquires, and greatly honoured with soldiers of notable name and memory.

Havise, daug. of Richard Greene, (called at Greene) of Barkway near London.

HENRY DRURY, Esquire, sonne and heir of John, was called *Henry of Thurston*.
Sesile, dau. of John Renire, of Thurston. d. S. I.

ROGER DRURY, second sonne. d. S. I.

JOHN DRURY, Esquire, sonne and heire of Henry, lived 19, 20, 23 Edw. I.

Amable daug. of Thomas Newton.

NIGEL DRURY, second sonne, was sheriff of London 1 Edward I.

Sir ROGER DRURY, a priest, third sonne, parson of Bradfield, Suffolk, had the manor thereof, which continued with Drury till 1601.

MAUD DRURY, eldest daughter, died unmarried.

ALICE DRURY, married to William Sweetening of Suffolk, Esq;

(A.) NICHOLAS DRURY, of Thurston, Esquire, lived 13 Edw. III. passed his will 7 Ric. II. and was buried at Thurston, without the Tau.

Joan, daughter and heire of Sir Simon Saxham of Thurston.

Sir ROGER DRURY, second sonne, a priest, parson of Becketon, temp. Edw. III.

DRURY of ROUGHAM.

DRURY of WETHERDEN.

DRURY of HAWSTED.

(A.) This NICHOLAS, by his will, dated at Rougham, 7 Ric. II. entailed his lands to Sir ROGER, his eldest son, and his heirs male; the remainder to NICHOLAS, his second son, in tail; the remainder to JOHN, his third son, in tail; and for default of such issue of his sons, to be sold and given in charitable uses. He and his wife, with fundry of his ancestors, were buried in Thurston church, in a chapel built by the DRURYS, whose purtrators and arms are remaining without the T.

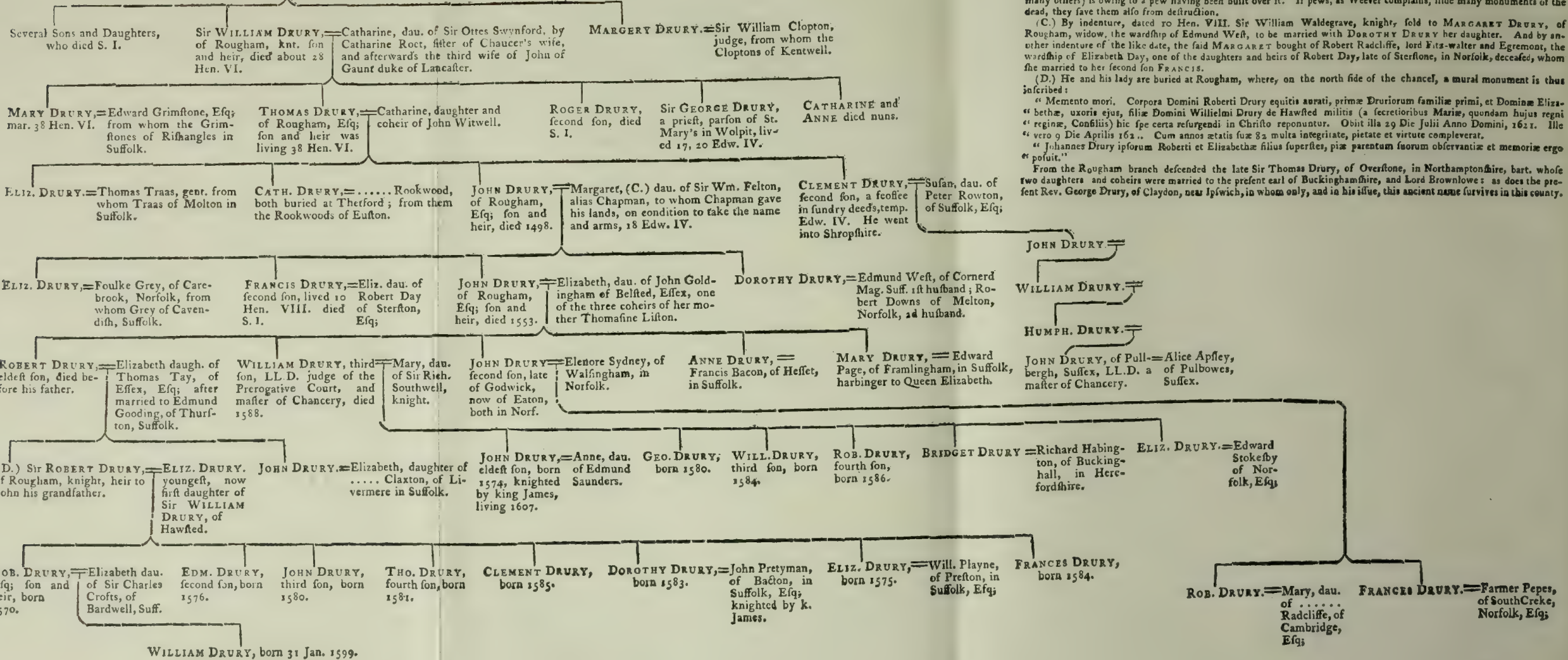
This was in 1602. There is not now, 1784, a single memorial of the family remaining there, except two escutcheons in glass, one with, and the other without, the T, in the east window of the north isle; and a third in the roof of the south isle; beneath which is a flat stone robbed of its brasses, probably for one of this family. This is a proof, among many others, how much more fatal to ecclesiastical antiquities the reformers of the 17th century were than those of the 16th.

DRURY OF ROUGHAM.

(B.) Sir ROGER DRURY, knt. eldest son removed from Thurston to Rougham, a contiguous village, and passed his last will 8 Hen. V. Margery, daughter and sole heiress of Sir Thomas Naunton of Chavert in Rougham, married about 10 Ric. II. and died in 1405.

DRURY OF WETHERDEN.

JOHN DRURY of Wetherden, third son, on whom his father entailed his lands 7 Ric. II. had a son, ROGER, to whom Sir Roger devised lands in Tot-
tuck 8 Hen. V.



(B.) This Sir ROGER and his lady are buried at the north east corner of Rougham church, under a flat stone, adorned with their figures in brass, about four feet high. The inscription is,

Hic jacet Dns Rogus Drury Miles, qui obiit Die Mens.
Anno Domini M^oCCCC^o, et Margeria Gr^{is} ej^{us} que obiit in die
Mens Septemb^{ris} Anno Domini M^oCCCCV^o. quorum animas &c.

This, I believe, is now the most ancient monument of the Drurys that can be ascertained; and its preservation (as of many others) is owing to a pew having been built over it. If pews, as Weever complains, hide many monuments of the dead, they save them also from destruction.

(C.) By indenture, dated 10 Hen. VIII. Sir William Waldegrave, knight, sold to MARGARET DRURY, of Rougham, widow, the wardship of Edmund West, to be married with DOROTHY DRURY her daughter. And by another indenture of the like date, the said MARGARET bought of Robert Radcliffe, lord Fitz-walter and Egremont, the wardship of Elizabeth Day, one of the daughters and heirs of Robert Day, late of Sterkstone, in Norfolk, deceased, whom she married to her second son FRANCIS.

(D.) He and his lady are buried at Rougham, where, on the north side of the chancel, a mural monument is thus inscribed:

"Memento mori. Corpora Domini Roberti Drury equitis aurati, primæ Druriorum familiæ primi, et Domine Eliza-
bethæ, uxoris ejus, filiæ Domini Willielmi Drury de Hawsted militis (a secretioribus Mariæ, quondam hujus regni
reginæ, Confilii) hic spe certa resurgendi in Christo reponuntur. Obiit illa 29 Die Julii Anno Domini, 1621. Ille
vero 9 Die Aprilis 1621. Cum annos ætatis suæ 82 multa integritate, pietate et virtute compleverat.
"Johannes Drury iporum Roberti et Elizabethæ filius superfler, piæ parentum suorum observantiæ et memoriæ ergo
posuit."

From the Rougham branch descended the late Sir Thomas Drury, of Overstone, in Northamptonshire, bart. whose two daughters and coheirs were married to the present earl of Buckinghamshire, and Lord Brownlowes: as does the present Rev. George Drury, of Claydon, near Ipswich, in whom only, and in his issue, this ancient name survives in this county.

DRURY of HAWSTED.

(E) NICHOLAS DRURY, = Joane, daughter of
of Saxham in Thurston, Thomas Heath, of
made the first separation, Mildenhall, in
and is buried at Thurston. Suffolk, Esq;

DRURY of ICKWORTH.

HENRY DRURY, = Elizabeth, daughter of
of Hires and Ick- George Eaton, who
worth in Suffolk, had divers children, of
eldest son. whom only Jane remained.

Avys.... = ROGER DRURY, of
Hawsted, Esq; second
son and heir after his
brother, ob. 1500, bur.
at Hawsted. See p. 50.

= Felice, daughter of
William Denfon of
Besthorpe, Norfolk,
second wife.

= Anne, daughter and coheir
of William Hanningfield
of Hanningfield, in Lawshall,
Suffolk, third wife, after
John Baynard's death.

DRURY
of
BESTHORPE.

HENRY DRURY,
only son, died be-
fore his father S. I.

THO. HARVY, of
Ickworth, Esq; bro-
ther and heir of Sir
George, from whom
the Harvys of Ick-
worth.

= JANE DRURY, only dau.
and heir, brought the ma-
nor of Ickworth to the
Harvys, bur. with her 2d
husband in St. Mary's
church, Bury; where, by
the by, she is called Margaret.

= Sir William Carew, knt.
fourth son of Sir Nicholas,
baron of Hidron, second
husband, d. 1501.

Sir ROBERT DRURY,
of Hawsted, knt. son
and heir, a privy coun-
sellor to Hen. VII. bur.
in St. Mary's in Bury,
with the T.

= Anne, eldest
daughter of Grey, second
wife.
= Anne Lady
daughter of Grey, second
wife.
Calthorpe,
bart.

JOHN DRURY,
eldest son, died
a youth.

CATH. DRURY.

= Sir Henry Strange,
of Hunston, Norf.
from whom the
Stranges of Hun-
ston.

Margaret, dau.
and sole heir of
Will. Bridges, son, lived 1491.
of Quidnam,
Norf.

= WILLIAM DRURY,
of Besthorpe, Esq; second
son, lived 1491.

DRURY of EGERLEY.

Jane, dau. and
heir of Sir W.
of Hawsted, knt. son and
heir, privy counsellor to
Queen Mary, died 1557;
b. at Hawsted. See p. 52.

= Elizabeth, dau. and
coheir of Henry So-
thell, Esq; attorney-
general to Hen. VII.
second wife.

George Walgrave, = ANNE DRURY,
of Suffolk, Esq;
from Sir William
Walgrave, of Smalbridge.

= Sir Thomas Jermyn,
of Rushbrook, from
whom Jermyn of
Depden, Suffolk.

ELIZ. DRURY. = Sir Philip Bottler,
knt. from whom Sir
Philip, of Woodhall,
Herts.

BRIDGET DRURY. = Sir John Jer-
ningham, of
Coffey, Norf.

URSULA DRURY, = Sir Giles
buried at Hawsted. Allington.
See p. 51.

Sir ROB. DRURY, = Elizabeth, sole
dau. and heir
of Edward
Brudenell,
Esq;

ROBERT DRURY, = Audley, dau. of Richard
Esq; eldest son, died Lord Rich, Lord Cham-
before his father. berlain of England, temp.
Hen. VIII. and sister of
Robert Lord Rich.

ANNE = Sir C. Heydon,
DRURY. of Baconthorpe,
Norfolk.

MARY = Sir Rich. Corbet,
DRURY. of Suffolk, knt.
afterwards to
John Terril, of
Gipping, Esq;

HENRY DRURY, = Elizabeth, only dau.
of Lawshall, in and heir of Thomas
Suffolk, Esq; fe- Isaac, of Baddew, in
cond son. Essex, Esq;

DOROTHY = Robert Rookwood,
DRURY. of Coldham-hall,
in Suffolk, Esq;

FRANCES = James Hubbard,
DRURY. of Halehall, in
Norfolk, Esq;

BRIDGET = Henry Yelverton,
DRURY. of Rougham, in
Norfolk, Esq;

ELIZ. = Sir ROB. DRURY,
DRURY. of Rougham, in
Suffolk.

HENRY DRURY, = Robert
twyne with Sir W. Rufell.
second son, and
ROBERT, 4th son,
both died S. I.

THOMAS DRURY,
born third son, now
second, living 1602.

ELIZ. = ... Grey,
DRURY. secondly to
Nic. Myne
of Walsing-
ham, Norfolk.

BRIDGET = Richard
DRURY. Zouch,
of Pitton,
Wilts.

Sir WILLIAM DRURY,
of Hawsted, twyne son
and heir, slain in France
by Sir John Borough,
knt. 1589.

= Elizabeth, dau. of
Sir W. Stafford of
Grafton, knt. after-
wards married to
Sir John Scott.

ETHELDRED DRURY, =
George Parker, of
Whepfled, Suffolk, gent.

SUSAN DRURY, =
Robert Baspole.

WINIFRID DRURY, =
Edward Markham.

ANNE DRURY, =
John Thornton of
Soham, Camb.

DOROTHY DRURY, =
Edward Barnes, of So-
ham, Camb.

SUSAN
DRURY.

CHARLES DRURY, Esq;
second son, slain in the
battle fought near unto
Newport in Flanders.

Sir ROBERT DRURY, = Anne, dau. of Sir
of Hawsted, knt. eldest Nich. Bacon, of
son; died 1615, buried Redgrave, eldest son
at Hawsted. See p. 55. of the Lord Keeper;
died Jun. 5, 1624.

FRANCES DRURY, = Sir Nicholas, son of Nicholas
eldest daughter. Clifford, Esq; second brother
of Clifford of Kent. No is-
sue. Her second husband
was Sir William Wray, of
Lincolnshire, knt.

ELIZABETH DRURY, = William Cecil, Esq; son and heir
of Thomas Earl of Exeter. She
was his second wife: died 1653,
aged 80: buried at Clerkenwell.

DIANA DRURY. = Sir Edward Cecil, created
Viscount Wimbleton, a
younger brother of her
father's husband: she was
his second wife.

DOROTHY DRURY,
died an infant.

ELIZABETH DRURY, died 1610, aged 14,
buried at Hawsted. See p. 53.

(E) This NICHOLAS, the son of NICHOLAS, the first of the partition, (from whom the House of Hawsted descended) after the decease of his father and mother, continued in Thurston, in Saxham's ancient *Place*, which his mother, being the heiress, conveyed with other lands to him and his heirs, whereby it was called DRURY's. He and Heath, going with John of Gaunt duke of Lancaster in the enterprise for Spain, took up their crosses, which ever fathers have continued in their several arms. He and his wife were buried in Thurston church, in a chapel opposite to his father, with the T in his arms, in sundry places of the chapel and church; in which chapel the monuments and arms of him and his ancestors were preserved with a religious care. See the end of note A.

The Spanish expedition, mentioned above, was in 1386: he must therefore have been then very young; and his son ROGER very old, when he died, in 1500.

Why the adventurers in that expedition took up their crosses, I cannot say; it does not appear to have had any religious motive, being undertaken by the duke to make good his claim to the crown of Castile.

DRURY of BESTHORPE, NORFOLK.

WILLIAM DRURY, of Besthorpe, Esq; second son of ROGER DRURY, of Hawsted, Esq;

Margaret, daughter and sole heir of William Bridges, of Quidnam, Norfolk, living, as well as her husband, 1591.

DRURY of EGERLY, BUCKS.

Sir ROBERT DRURY, of Egerly, Bucks, 2nd son of Sir ROBERT DRURY, of Hawsted; died about 1575.

Elizabeth, sole daug. and heir of Edmund Brudenell, Esq;

ROB. DRURY, of Besthorpe, Esq; son and heir.

Elizabeth Clifford.

Sir THOMAS DRURY, a priest.

JOANE DRURY, a nun at Bruyard, Suffolk.

WILLIAM DRURY, of Besthorpe, 2nd son, first married Mary, daug. of . . . Bleverhasset, wid. of Hen. Warren.

Dorothy, dau. of Will. Brampton, of Litton, remar. to Will. Cocket, of Ampton, Suffolk.

CATH. = . . . Stonner, of Waltham Forest, Essex.

ANNE = . . . Bladwell, of G. Thurlow, Suffolk.

JOHN DRURY. = Anne, daug. of Robert Brampton, of Attleburgh, Norfolk.

DRURY of ROLSBY, NORFOLK.

WILL. DRURY, of Besthorpe, Esq; son and heir.

Ursula, dau. of Richard Coo, of Suffolk, Esq; by Jane Clifford.

ANT. DRURY, of Besthorpe, Esq;

Anne, dau. of Robert Kemp, of Giffing, 1st wife; Anne, dau. of John Garnish, of Spexall, 2nd wife.

HENRY DRURY, parson of Tendring, Essex.

EDMUND DRURY, parson of Yelverton, Norfolk.

ROGER DRURY, of Rolsby, Esq;

Catharine, daug. of John Laval, widow of Lister.

CATH. = Chamberlain of Drury, of Norfolk.

TAB. = Andrew Clerk, of Wraxham, Norfolk.

DORO. = Rob. Constable, of Ingham, Norfolk.

ANNE. = Fran. Watson, of Pelham, Essex.

DRURY of LINSTED, KENT.

Elizabeth, dau. of Sir Philip Calthorpe and Amata Bolen, aunt to Q. Anne Bolen. Elizabeth's first husb. was Sir Hen. Parker, K. B. eldest son of Henry Lord Morley; Sir Will. Woodhouse was her second husband.

Sir DRUE DRURY, of Lyndsted, gent. usher of the privy chamber to Queen Elizabeth, one of the keepers of Mary Queen of Scots, died 1617, aged 99.

Catharine, only daug. and heir of William Finch, of Lyndsted, 2nd wife; died 1601.

EDMUND = . . . Trenchard, DRURY. and hath issue ROGER, living 1602.

ANNE = Robert Woodlefe, DRURY. of Peterley, Bucks.

MARG. = Henry Trenchard, DRURY. Esq;

LUCY = Robert Telf, gent. DRURY.

ELIZ. = Rowland Hind, of Hedfworth, Bucks.

ELIZ. = William DRURY. Harborn, of St. Olaves.

Sir ANT. DRURY, knt.

Bridget, dau. of John Spillman, of Narborough.

WILLIAM DRURY, of Gray's Inn, living 1602.

DOROTHY DRURY. SUSAN DRURY.

Sir DRUE = . . . dau. and heir of Lord Burgh.

ANNE = W. Plestance, of Brandon Ferry, Norfolk.

ROGER DRURY.

Sir HENRY DRURY, of Egerly, knt.

Susan, dau. of Hugh Stukely, of March, Somersetshire.

ELIZ. = John Banks, DRURY. of Lower Shelford, Cambridge.

ANNE DRURY.

MARY DRURY.

JANE = Rich. Chetwood, DRURY. Oxfordshire.

ANNE = Robert Hartwell, of Northamptonshire, Esq;

DRUE DRURY, Esq; only son, born 1588, created a baronet; died 1632.

Anne, dau. of Edward Wallgrave, of Canfield, Essex.

ELIZ. = Sir Tho. Wingfield, of Letheringham; his first wife was dau. of Sir Tho. Gerard.

FRANCES = Sir Robert Botiler, DRURY. of Wotton, Herts.

ANNE = Sir John Deane, of Maplested, Essex.

WILL. DRURY = Mary Cockain, died 1639.

ANT. DRURY, died S. I.

BOS. DRURY, died S. I.

ANNE = Philip Harbord, of Stanninghall.

Charles Needham Viscount Kilmorey.

BRIDGET DRURY.

Sir John Shaw, of Eltham, Kent.

ELIZ. DRURY.

SUSAN DRURY.

DOROTHY DRURY.

HENRY DRURY, gent. son and heir.

ELIZ. D. = Sir Robert Wodehouse.

CATH. D. = . . . Whimborough.

MARY D. = . . . Thurgood.

JOANE D. = . . . Grey, of Merton, Norfolk.

Sir DRUE DRURY, bart.

Susan, dau. of Isaac Jones, of London.

WILLIAM DRURY. HENRY DRURY.

Elizabeth, dau. and heir of Edward Dunstan, of Walsingham, Suffolk.

Sir ROB. DRURY, bart. died 1712, S. I. aged 78.

Elenor, dau. of Samuel Hartnet, of G. Framham.

Diana, dau. of George Vilet, of Pinkney-Hall.

DRUE DRURY.

DIANA DRURY. = Sir William Wake, bart. from whom the present Sir William Wake, bart.

Sir Thomas, early in this century, sold it to John More, alias Mould, esquire, whose descendants still possess it.

A younger branch of the Cloptons had for some time been seated at Lyfton, in Essex, about two miles off, where they continued till *Poley Clopton*, M. D. a batchelor, left that estate to his only sister, married to Edward Crispe, of Bury, esq. They sold it to Wm. Campbell, esq; who now resides there.

The name, I believe, became extinct by the death of Dr. Poley Clopton, in 1730, who left the chief part of his estate for the founding an hospital at Bury, for six old men and six old women. His sister died without issue: her niece Elizabeth Clopton was married, in 1746, to the Rev. Mr. Gilbert Affleck, of Dalham, in this county, who died in 1763; Hannah, another, was married to Martin Folkes, esq; of Chevely in Cambridgeshire; and the issue of those two matches are the representatives of this ancient, and respectable, family.

DRURY.

Having thus traced the lords of the two manors to the extinction of their property in this village, I shall now give some account of the *Drurys*, in whom both of them were first united. This family came into England at the conquest; immediately after which, they were seated at Thurston, in this neighbourhood, where they continued till Sir *Roger Drury* (who died in 1418) removed to Rougham; and *Roger Drury* (who died in 1500) became seated here. Their pedigree is here given from the beautiful original in the possession of Sir William Wake, bart. one of the representatives of this family, and whose kindness in the loan of it, I seize with pleasure this occasion of acknowledging. Mr. Blomefield mentions it; but says, he had no opportunity of making extracts from it '.

' Hist. Norfolk, V. I. p. 185.

This Roger, by the name of Roger Drury, of Hawsted, esq; became possessed of the manor of Bokenham's, 3 Edw. IV. it being then assigned him by William Colman, to whom it had been released by John Marshall, who, as we have seen before, had been estated therein by John Bokenham, and Alice his wife. He died probably not long before his will was proved, which was on 22 March, 1500, in the chapel of St. Leonard, near Norwich. He must have reached a great age, as his father is said to have attended John of Gaunt in his expedition into Spain, in 1386.

The will itself is dated 20 Jan. 1493; and at that time he seemed doubtful of the place of his sepulture, which, was afterwards certainly in this church; to which he was yet very penurious, bequeathing it only the contingency of a sermon once a year for ten years: perhaps he was the less liberal, as the advowson was not yet in his family. The will is extant in the registry of the bishop of Norwich, and contains so many remarkable particulars as to be worth preserving.

In Dei nomine, Amen. I Roger Drury, of Hawsted, in the com. of Suffolk, esquer, beyng in hole mende, and beleyving as God and the church wuld I shuld¹, the xx day of January, in the year of our Lord God mcccc and lxxxxiij, make my testament in this wyse. Fyrst I bequeth my soule to Almyghty God, and to our Lady Seint Mary, and to all the Company of Hevyn; my body to be buryed in suche place wher I trust in God to assigne at the tyme of my dethe. Also I will that myn executors receyve my detts, and pay my detts: and if any wronge have I do², as God defend, to any person or persons, duly provid and examyned be my said executors, I will they be restored. Also I will that if it please the abbot of Bury, and his convent, to kepe a deryge for me in the quere, and masse of requiem on the next day at the hey aultar, because it pleased them to make me a brother³ of their chapter, I will that the said abbot have xxs. the prior vjs. viijd. the

¹ Notice has been before taken of this profession of his orthodoxy. See p. 671.

² This provision is not unfrequent in old wills, and marks an age when the great were both willing to oppress their inferiors, and able to do it with impunity. When death approached, they felt remorse of conscience, and enjoined their executors to redress injuries, of which none could be such competent judges as those that had committed them. The present testator, by the expression "as God defend" (that is, forbid), implies his hope that he had not committed any: but how can a man wrong another without knowing it, or without the other's complaining to him if he dares?

³ Persons of the first rank were desirous of becoming brethren of religious societies; for they were to participate in the merits of their prayers and other worthy actions, while living; and to be prayed

the sexten, iij s. iiij d. the selerer, iij s. iiij d. the chantor, iij s. iiij d. and every other monke preste, xxd. and they that be no prestes, xij d. apece.; and this I will immediately be doon after my deceasse, as fone as it may. Also I bequeth to Anne Basser, the doughter of John Basset and Elizabeth his wife, xl s. to her maryage. Also I bequeth to Mr. Thomas Coote, parson of Hawsted, for my tythes not full content in tymes past, xx s. Also I bequeth to the hey auter of the churches of Hardest, Somerton, and Whepsted, to iche of them, vj s. viij d. Also I bequeth to the reparacion of the church of Onhows, wher I am patron, xl s. Also to the ij houses of Frerers of Thetford, to iche of them for a deryge, and a masse, xiijs. iiij d. To the nunnes of the same towne, xx s. in lyke wyse to the Freres of Sudbury, xiijs. iiij d. in lyke wyse to the Freres of Clare, xiijs. iiij d. lyke wise to the white Freres of Cawmbrege, iij s. iiij d. Also I bequeth to Ric. Jerveys, xiijs. iiij d. to Agnes his wyfe, iij s. iiij d. to Wilm. Hyndey, vj s. viij d. to Henry Fynche, iij s. iiij d. to Belamy, iij s. iiij d. to Nunne, xxd. to Roger Alred, iij s. iiij d. to Elizabeth Drury, my servant and kyneswoman¹, x marks, whch Roberd my sonne hath in his kepyng. Also I will, and specyally desyer, my said executors, and John Basse, to take heed to the yerly payment of xs. by yer of annuitye, which George Nunne payth, and must pay, during the terme of xxxvij yers, from Mychelmas last paite, which was the ix yer of kyng Henry the vij, as by the dedys of the said annuitye more playnlye apperyth: the which xs. I will be spent in red herynge, yerly, in Lenton, amonge the inhabitants of Whepsted, fume more, and fume lesse, as povertie requireth: and to be bought and delyvered by the hands of the said John Basse, during his life, and after his deceffe, by the hands of suche on as shall be named by myn executors. Also I will, that Anne my wyfe have all such stuff of houshold, utensiles, plate, and jewels, with the bocks [books] that wer her or [before] I maryed, withought any interrupcion, or trobill. And I will that she have of my plate, a gilt pece . . . with a bafe foote, which weyeth xxij unc. A standyng pece white and gilt, the which weyeth xxvij unc. myn old silver bason with the Drury's armes departed², which weyeth xxxvij unc. also my gilt ewer³, the which weyeth xvij unc. Also I will that she have my chased pece with myn armys in the botom, the which weyeth xij unc. because she hath ij peces of the same sute. Also I will that she have my playne flat pece, with a gilt knoppe, which weyeth xvj unc. Also I will that she

prayed for by them when dead. When this Roger was admitted into the fraternity he mentions, I know not; but in 1440, his elder brother Henry, and Elizabeth his wife, with Humphrey earl of Bucks, his countess, and two sons, Henry de Bourcher earl of Ewe, and his son, Anne de Vere, a daughter of the earl of Oxford, and several others, received this favour; when they gave the monastery a grand entertainment, besides two rich copes with all that belonged to them. *Registrum Curteys.* MSS. B.

¹ The relations of persons of rank and fortune sometimes waited upon them in the capacity of servants. The earl of Northumberland, about this period, was served by his second son, as carver, by his third, as sewer. *Household Book.* See also the Dissertation prefixed to the 3d volume of Mr. Warton's *Hist. of English Poetry*, p. 75.

² Quartered. He bequeaths another bason with his whole arms.

³ When Gremio was boasting of the finery he could bestow upon his wife, he says;

—my house
Is richly furnished with plate and gold,
Basons and ewers, to lave her dainty hands.

Taming of a Shrew. A. II.

have

have my powder-box ¹, which weyeth vij unc. Also I will that she have my primer ² clothed with purpill damaske; and my boke clothed with red leather, in which boke is the masse of Jhu. Also I will that she have my white counterpeynt ³, which hath myn armys; my greene coverlyght ⁴ wrought with white coton, my payer of fustians ⁵, my hoole chamber ⁶ that I ly in, my ij bedds in my maidons chamber hoole, with the change of shets longyng to all the said chambers. Also I will that she have of myn other shets and napery such parte as she thynkyth necessary for her withought contradicōn. Also I will that Roberd my sone have my bocks of Latyn lying in my chapell or longyng thereto, the day of the making of this my testament, except the bocks before except. Also I will that he have my ij vestments, on of cloth of golde, the other of red sylk, with ij corporases ⁷, the ton lyke to the vestment of golde, the tother blacke velvet, with all the auter clothes, frunteleys ⁸, and hangyngs concernyng to the said chapell. Also I will that he have to the said chapell my gilt chaleys, weying xx unc. my ij standyng candlestykkes of xxij unc. my ij cruets ⁹ gilt and white xx unc. Also I will that he have my silver bason with myn hoole armys, and the white ewer thereto, the which weyeth $\frac{xx}{iii}$ and xj unc. Also I will that he have my chafyng chafor of silver, which weyeth xxvij unc. Also I will that he have the xij sponys, the which are dayly in the botery, with the square peynts, which weyen xij unc. ði et quart. Summa $\frac{xx}{viii}$ and xij unc. ði et quart. Also I will that the said Roberd have my gret cownterpeynt with the boufers ¹⁰ armys, and my payer of flamyns ¹¹. Also I will that Anne the wyfe of the said Roberd my sone have the choyse of my two

¹ Powder, originally employed to clean the hair, was not, I believe, used as an ornament, till after the middle of the last century. This powder-box was probably for perfumed powder, which was of early use, particularly for the cloaths. In a copy of a wardrobe account, 9 Eliz. in the possession of the duchels dowager of Portland, occur 6lb. of sweet powder used for the queen's robes, at 13s. 4d. a pound.

² The primer contained a collection of prayers, psalms, hymns, &c. in Latin and English; retained, with alteration, after the Reformation. Brit. Topog. II. p. 323.

³ Now called counterpane. An ornamental covering for the bed.

⁴ Couvre lit, Fr. now commonly called a quilt; a name not unknown formerly.

⁵ Blankets made of fustian. So in Chaucer, a great man, comforting his daughter, who was become melancholy, promises her, among other luxuries and elegances,
Your blankets shall be of fustayne.

⁶ The whole furniture of my chamber.

⁷ The *Corporas* was the consecrated host, and the case in which it was deposited was called the *Corporas Case*, and sometimes only the *Corporas*. So in Blomefield's Hist. Norf. (where by the bye, more information relative to ancient manners and customs may be collected, than in perhaps all the other county histories put together); a case of red velvet on one side, for the *Corporase* to be put in. V. II. p. 513. *Corporas Case* of blew cloth of gold tissue, with the *Corporase therein ready ballowed*. 639. Sometimes a cloth or covering was laid over this case; as, a *Corporas Kercher*, with the case of *white damask*, wrought with branches of gold, &c. 678. Two *Corporas Capps* (Caplæ, or Cafes) one without a *Cerebis*. Hist. Dunwich, p. 158.

⁸ Cloths for the front of the altar, more ornamented than the other parts; as they often are at present.

⁹ These stood on the altar, and contained water, and wine.

¹⁰ Bouchers.

¹¹ Blankets made of wool. *Etamine*, sorte d'étoffe légère qui est faite comme la toile, avec de la laine sèche et dégraissée avec du savon noir. Richlet. *Stamen* Petticoat, with two guards. Eastward Hoe, printed 1605.

masers ¹. And I will that Margaret the wyfe of my sone William have the tother maser. The on maser with the cuver silver gilt, weyeth xvj unc. and the tother with the peynted cuver and the gilt knoppe, weyeth xvj unc. Also I will that Anne the doughter of the said Roberd have my primer clothed in bawdekyn ². Also I will that William my sone have my ij Inglyshe bocks, called Bochas, of Lydgat's ³ makynge. Also I will that the said William have on of my fedyrbedds, with a traversin ⁴ of the same sute, lying in the chapell chamber. Also I will that Anne my wyfe have of my cofers and chests, such as she thynketh shall be necessary for her. The residue of my stuff of houshold in the keeping of the said Roberd and Anne his wyfe, at the tyme of my dethe, except afore except, and except my plate not bequethen, I will that the said Roberd my sonne have. Also I will that William my sone have all suche shepe as I have at geyst ⁵ at my dethe. The summe of this my testament, legat. in money, as it is above wretyn, drawith xxvj l. xiiij s. iiij d. beside the x marke assigned to Elizabeth Drury, the which x marke Roberd my sone hath in keeping. Item, I will that c marke, the which my sone Roberd hath of myn in keeping, in money and in plate, goe to the fyndyn of a scoler of Devenyte in Cawmbreyge ⁶ for x yer, gevyng him x marke yerly, if he will preche ones in the yer, during the x yer at Bury, and ones at Hawsted: and if he will not preche, then I will that he have but viij marke by the yer. Also I will that Katrine, Jane, and Anne, the doughters of my said sone William, have cl. which is in the keping of the said William, to ther maryage; that is to sey, iche of them l marke: and if any of the iij susters dye, I will that her l marke be departed ⁷ betwyn the toder ij susters; and if any of the iij susters intende to be a

¹ These masers have been thought by Du Cange and others, to have been bowls or cups, made of some precious materials. Some have thought, that they were made of maple; sometimes at least they were made of that wood, according to Spenser, who speaks of

A *mazer* ywrought of the *maple ware*.

Minshew says, they were made of the roots of that tree, which are remarkable for their beautiful veins. Perhaps they were made of any wood, which, when turned and polished, shewed an elegant and variegated surface. Langham, in his *Garden of Health*, printed in 1597, mentions the medicinal virtue of the gummy of the *mazer* or *wild cherry-tree*. p. 136. They were set or mounted with silver, as we often see cocoa nut-shells at present. Among Cardinal Wolsey's plate was a great mazer, and four small masers, and a cover of wood. Gutche's Coll. Cur. II. p. 338. A curious mazer is engraven, and described, in *Gent. Mag.* 1784. p. 257. 349.

² Gold brocade. The richest cloth.

³ About the year 1360, Boccacio wrote a Latin history, in ten books, called, *de Casibus Virorum et Feminarum illustrium*. It was soon afterwards translated into French, by one Laurence, a French ecclesiastic. This translation was the original of Lydgate's Poem, which consists of 9 books; and in the earliest edition, printed at London, without date, in the reign of Henry VIII. is thus entitled, "The Tragedies gathered by Jhon Bochas, of such princes as fell from theyr estates, through the mutabilitie of fortune; since the creation of Adam until hys time, &c. translated into English by John Lydgate, monke of Bury." Warton's Hist. English Poetry II. p. 61, 2.

This was the book bequeathed; and being yet in MS. was certainly a valuable legacy. There were probably several copies of this work in this neighbourhood.

⁴ This word occurs in the Royal Wills, p. 73. and means a *Bolster*, which lies *acrost*.

⁵ These are now called, *Foist* Cattle; and are the cattle of other people taken to pasture at so much a week or month. These in question could not be such; they were perhaps such as were fat, and fit for slaughter. Or did he happen to have any of his own at *Geyst*, at this time?

⁶ How much our ancestors attended to this object, the numberless exhibitions, still existing in our universities, are a proof. See also Kennett's *Paroch. Antiq.* p. 214, 15.

⁷ Divided. So in the old service of matrimony, "till Death us *depart*."

woman of religion ¹, than I will that she have x marke, the day of her profession, the residue to be departed betwyn the tother ij susters; and if ij of them dye or they be maryed, than I will that she that survyveth, hath c marke ² of the said cl. and the l marke residue I will be disposed by the discrecon of my said sone William, my sone Roberd, and Katrine my doughter, to the profyte of his other children. And if all the iij susters dyen, then I will the said cl. be disposed of the discrecon of my said sone William, Roberd, and the said Katrine, among his other children, as the case shall require. The which cl. I will my sone William have in kepyng tyll the said doughters be maryed. And if the said William dye, or they be maryed, than I will my sone Roberd have the cl. in kepyng tyll the said doughters be maryed. And for the performance of this my testament and last will of my meveable goods ³, I make myn executors the said Roberd my sone, and William my sone.

He was succeeded by his eldest son *Robert*, so often mentioned in his will; who in a mortgage ⁴ made to him of a messuage and two crofts, in *Pynford Street*, in this village, 1 Henry VII. was called *Robert Drury*, of *Hawsted*, Esq. One of his first acts after his coming to his inheritance, seems to have been the procuring from the pope a licence for the chapel in his house; which yet was certainly in use before, as his father left it so handsomely furnished, at his death. This licence bears date the 7th of the calends of July, 10 pope Alexander VI. which is 25 June, 1501, and is as follows:

Julianus miseratione divina episcopus Ostiensis, dilecto in Christo Roberto Drury nobili Norwicensis dioceseos, salutem in Domino. Ex parte tua fuit propositum coram nobis, quod, cum quedam capella in manerio tuo de Halstede dicte dioceseos quasi per unum miliare vel circa a parochiali ecclesia de Halstede distet, adeo quod propter hujusmodi distantiam, hiemali et aliis temporibus anni, propter nives, glacies, imbres et inundationes aquarum, et viarum discrimina quibus illa regio

¹ If one became a nun, she was to have x marke (or vjl. xiijs. iiij d.) the day she took the veil. This, I suppose, was the usual sum which religious societies at that time received, for the maintenance of a young woman during her life. One of them was a nun at Brusyard in this county.

² So at all events, no one was to have more than c marke (or lxxvj l. xiijs. iiij d.) which was doubtless thought an ample fortune for a gentleman's daughter.

³ He says meveable (moveable) goods; for a man could not dispose of his lands till 32 Henry VIII. which is the reason that we find the testators before that time, so busily employed in disposing of their personal effects, and totally silent about entailing or selling their manors, &c.

⁴ The deed is indented at top, and on the left side; the indentures being marked with large dimidiated capital letters; a custom frequent in this, and the reign of Edward IV.

habundat,

habundat; pro missis et aliis divinis officiis audiendis, tu et uxor tua, ac heredes et successores, et familiares tui, ac alii pro tempore declinantes, presertim dominicis et aliis festivis diebus, prout tenemini, dictam parochialem ecclesiam commode, prout tu et uxor tua, ac heredes et successores, ac familiares predicti velletis, accedere non potestis, desideratis in dicta capella in manerio predicto, que nondum consecrata existit, per presbyterum ydoneum secularem vel regularem, pro tempore deputandum, missas et alia divina officia celebrari facere, et ea audire, ac Eucharistiam et quecumque alia sacramenta et sacramentalia ecclesiastica, quotiens fuerit opportunum, ab eodem presbytero recipere, quod vobis minime permittitur absque sedis apostolice dispensatione et licentia speciali; quare supplicari fecisti humiliter tibi et uxori ac heredibus et successoribus et familiaribus tuis predictis in perpetuum super hiis per sedis predictae clementiam provideri. Nos igitur attendentes, quod in hiis que ad divinum cultum pertinent favorabiles esses debemus et benigni, tuisque in hac parte supplicationibus inclinati; auctoritate domini pape, cujus penitenciarie curam gerimus, et de ejus speciali mandato super hoc *vive vocis oraculo* nobis facto, ut per quemcumque presbyterum ydoneum secularem vel regularem, per te et heredes tuos ac successores predictos deputandum, cum altari portabili, et aliis rebus ad hoc necessariis et opportunis adhibitis, vestri ordinarii et loci predicti rectoris aut presbyteri parochiani licentia minime requisita, missas et alia divina officia, dominicis et aliis festivis ac profestis diebus prout videbitur, celebrari facere et ea audire, ac eucharistiam et quecumque alia sacramenta et sacramentalia ecclesiastica ab eodem (festo paschali duntaxat excepto) libere et licite recipere possitis et valeatis; jure tamen parochialis ecclesie in omnibus semper salvo, et sine alicujus juris prejudicio, tibi ac heredibus et successoribus utriusque sexus ac presbytero predicto (veris existentibus supradictis), tenore presentium liberam concedimus facultatem; ac tecum et heredibus et successoribus ac presbytero prefatis super hiis dispensamus in perpetuum, constitutionibus apostolicis ac provincialibus, et synodalibus conciliis editis generalibus vel specialibus, nec non Ottonis et Octoboni olim in regno Anglie apostolice sedis legatorum, ceterisque contrariis non obstantibus quibuscumque. Datum Rome apud sanctum Petrum sub sigillo officii penitenciarie vij kal. Julii, pontificatus domini Alexandri pape vj anno decimo.

Appendant to the above, by a strong woven cord, is a thin seal, representing I believe (for the impression is rather obscure) a person seated under a Gothic canopy, and holding a child; beneath is an escutcheon with two keys in saltire, surmounted by a triple crown, circumscribed, SIGILLUM OFICII SACRE PENITENCIARIE AP'LICE. It is of white wax, incrustated on the side of the impression with a thin coat of red. A sharp oval, $2\frac{1}{2}$ by $1\frac{3}{4}$ inches, secured in a tin case by the cord before-men-

R

tioned

tioned passing through its back and the case, and tied to the deed.

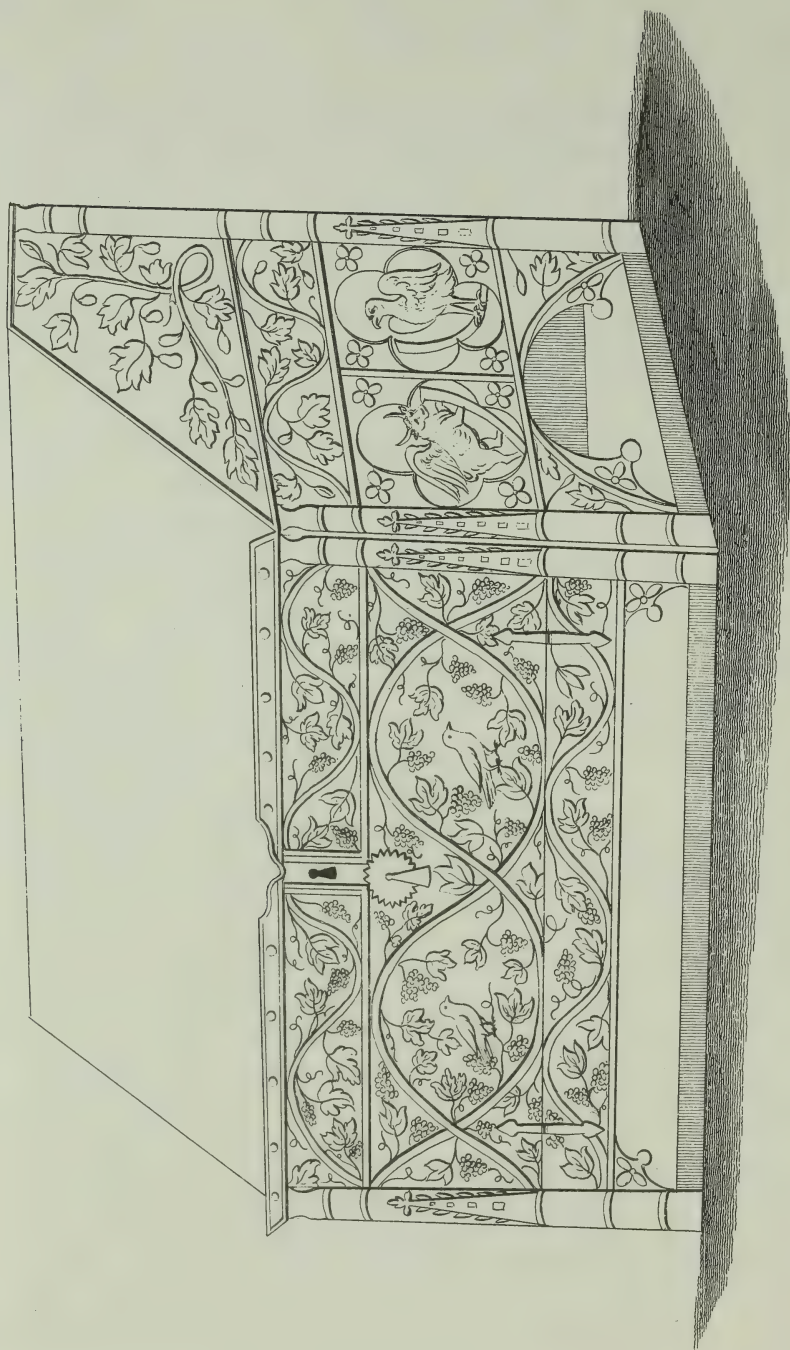
The above is transcribed, as not being in the common form; for these licences were not generally granted by the pope, but by the bishop of the diocese, who did not presume to grant these domestic chapels such privileges, and make them so nearly independent of the parish church, as his holiness did. The general requisites for granting these licences were, that the person should be a man of rank and consequence (*nobilis*), an invalid, or living at a distance from the church: the last of which circumstances is, in the present instance, aggravated by the badness of the roads, which is described with all the wordy parade of a modern conveyancer.

The portable or moveable altar granted in the above licence was so called to distinguish it from the larger and more solid one of masonry: and at this perhaps masses might be celebrated in any apartment in the house. Thus Sir John Bardolf and his wife had a licence from the pope, in 1353, to have a portable altar, upon which a proper priest might, in a suitable place, in their presence, celebrate masses, and other divine offices¹. They had sometimes very distinguished privileges annexed to them. Thus Baldwin, abbot of Bury, in the time of the Conqueror, brought one of them of porphyry from Rome, well furnished with reliques, and at which, as long as the convent preserved it entire, masses might be celebrated, though the whole kingdom lay under an interdict, unless the pope interdicted that by name².

My friend Mr. Fenn, of Dereham, has in his possession one of these implements. It belonged formerly to Mr. Thomas Martin, who esteemed it a singular curiosity. It is made of

¹ Hist. Norf. Vol. IV. p. 210.

² Battely's Antiq. Bur. p. 48.



A PORTABLE ALTAR.



wood, in the shape of a reading desk; $16\frac{1}{2}$ inches high, 18 wide, and 11 deep. The front part is of box, carved in high relief with the trailing branches of the vine. The sides are of oak, on the upper parts of which are sculptured the branches of the fig tree; and lower down, the emblems of the Evangelists, two on each side. The whole is coloured and gilt upon a white incrustation. The inclining part at top opens; and the front occasionally falls down: upon this latter, I suppose, were placed the consecrated elements, while the book rested on the upper part. Within are drawers, and niches, for the host, reliques, &c. See an engraving of this shrine in plate IV.

A few years after his father's death, namely, 20 Henry VII. Sir Robert made, as we have seen, the desirable purchase of the principal manor; and by afterwards industriously buying every little parcel of land that could be procured, became the proprietor of almost the whole village. And as a specimen of the concise manner in which conveyances were then sometimes made, the following is subjoined:

This bill witnesseth, That I Robert Gippes, of Cowlinge, in the county of Suffolk, Husbondman, knowlege me by these presents to have solde unto Sir Robert Drury, knight, half of a messuage, and of five acres of land and oon half, and a rode of medow and pasture lyeing and situate in Hawstede, to hym and to his heires for ever, for five pounds of lawfull money, the whiche five pounds I knowlege me to have receyved; and the seid Sir Robert, his executors and assignes thereof, and of every parcel of the same, I acquit and discharge for ever. In witnesse whereof to this bill I have set my seale, the vj day of January, the vij yer of king Henry the VIIIth.

Sir Robert was privy counsellor to Henry VII. and 1 Henry VIII. procured licence to impark 2000 acres of land, and 500 of wood, in Hawsted, Whepsted, and Horningtheath. He died, I suppose, soon after 24 Henry VIII. for that year, he and Thomas Bacon, gentleman, and Roger Sturgeon, enfeoffed Sir Robert Norwich, chief justice of the King's Bench, and several

others, in his manor, &c. of Hawsted, for the purpose of fulfilling and executing his last will. From his shaking hand, he was then probably old. His seal of red wax is a small antique. The deed is indented, without letters at the edge. He was buried in St. Mary's church at Bury, under a large altar monument of stone, which is beneath the last arch of the chancel towards the east, on the south side. Weever attributes this to a Roger Drury, who died in 1472, and Agnes his wife, who died in 1445; of both of whom the pedigree is silent. But the woman's head-dress is of a later period; and the whole is evidently of the same date as that opposite to it, for Sir William Carew, who died in 1501, and whose wife in 1525; she was first cousin to Sir Robert: All that remains of any inscription on Sir Robert's monument, is this distich, on the wooden palisades;

Suche as ye be some tyme ware wee,
Suche as wee are, fuche schall ye be.

Sir *William Drury*, his son, suffered a recovery of the manors of Hawsted and Onehouse, 27 Henry VIII. Four years afterwards he procured a grant of the contiguous manor of Whepsted, with the advowson, that had lately belonged to the monastery of St. Edmund. This must have been a capital addition to his possessions. The pedigree makes him marry a daughter of Henry Sothell, attorney general to Henry VII. But no such person appears in Sir William Dugdale's series. Robert Southwell *miles* was made Master of the Rolls, 33 Henry VIII. and his successor appointed 4 Edward VI.

By the grants which he obtained from queen Mary he appears to have been a favourite of that princess: his testamentary disposition of one of them is worth noticing. He had purchased the wardship and marriage of the heir of the Drurys of Rougham,

Rougham, who, he intended, should marry his daughter Elizabeth; but if any disagreement on either side should happen, he does not insist that the marriage should take place; but directs, that his said daughter should, in that case, have the whole advantage that might arise from the wardship and marriage. A singular legacy to the young lady, whom he had destined for his ward's wife. The match of course took place, when the minor was thus thrown into his mistress's power.

He was one of the knights of the shire from 7 Edward VI. to the time of his death, which happened, as we have already seen by his epitaph, 11 Jan. 1557. His will is extant in the registry of the prerogative court of Canterbury¹; and needs no apology for its insertion. It is often from these records alone that we can become acquainted with the property, relations, modes of thinking, and several other particulars, of our ancestors.

In the name of God. Amen. I Sir William Drurye, knight, the xxvjth day of December, in the yere of our Lord God a thousande five hundred fiftie and seaven, make and ordeyn this my present testament and last will, in manner and fourme following; that is to saye, Firste, I geve and bequeath my soule to Almighty God, our Ladye Sainte Marye, and to all tholly companye of Heaven; and my bodie to be buried within the churche of Hawsted by my first wif, after and accordinge to, my degree, by the discretion of myn executors. And by this my present testament, and laste will, I revoke, and adnulle, all other willes and testamentis by me before this tyme made: and I will that no personne nor personnes shall take any advantage, profit, or commoditie, by reason of any suche testament, or will, by me at any tyme before this tyme made. And to fulfill this my present testament, and last will, and every thinge that is, or shall be, therein conteyned; I make and ordeyne myn executor, Elizabeth my wif; and I ordeyn, and speciallye desire, Sir Richard Riche knight Lorde Riche, to be a supervisor, to call upon myn executor for the true performance, and execution, of this my present testament, and last will; to aide and helpe her in such things, as shal be requisite and necessarie for the same: and I geve unto him for his paynes and friendship therein, a gilte cuppe with a blue flower in the topp. And I will, that my said wif and all my children, and Bredget Jervis, have every of them a blacke gowne; and every

¹ The gratification of curiosity is frequently not a little expensive. In the present instance, the previous liberty of examining, the fees of office, and a gratuity to the transcriber, cost one guinea; besides thirteen six-penny stamps upon the three sheets of paper.

of my housholde servaunts, blacke coates. And I will and require, my saide executors to pay my dettis, as sone as they convenientlie may. Item, I geve and bequeth to Elizabeth my wif fortie pounds worth of my plate, after the rate of xjs. the ounce, and all gilt, and v s. silver and parcel ¹ gilt, if it can be convenientlie born, and my dettis being discharged and trulie paid. And I geve and bequeth also to my saide wif, all the residew of my plate, to be disposed to my children, and my sonne Roberte's children; so that my dettis may be well and trulie paide of the residew of my goods and cattales, and this my present testament, and last will, also performed with the same residew of my goods, and with the yssues and profittes, rentes and services, of such mannors, lands, tenements, and hereditaments, as hereafter be willed, devised, and assigned, to my said executor, for the terme of certayne yeers: and such parte of the same plate as William Drury, my sonne Roberte's eldest sonne, shall have to be delivered him at his full age. Also I geve to my said wif, thirtie payer of good sheets, fixe fetherbedds, and vj mattraffes, with bolsters for them; of whiche fetherbedds, two of them be in myn owne chamber; and I geve unto the same Elizabeth my wif, the sparvers ² and hangings of the same two beddes, usually occupied and hanging over and aboute the same two beddes: and also the hangings ³ aboute myn owne chamber, and the hangings in the mayden's chamber, where Elizabeth Holt did lye. Also I geve unto my said wyf six pillowes of downe, one trussing cofer ⁴, and the cofer of walnott tree, and one great shipp cofer ⁵; and six carpet cufshinnes ⁶, the best she will chuse; and one cufshinn of filke wrought with the nedill; three cufshinnes of sattin paned; one carpitt for a cupbord of those whiche were of her owne making. And also I will that she shall have all her chaines and jewelles, with all her appareill belonging unto her.

¹ Partly gilt. So Shakspeare has, "a parcel-gilt goblet;" and, "a tapster, parcel-bawd." This partly-gilt plate is called in Sir Roger Drury's will, before recited, "gilt and white."

² A *sparver* seems to have been that frame, with its valances, at the top of the bed, to which the curtain rods were fastened; including perhaps sometimes the tester, or head-piece. A *sparver* of grein and black say, with courteyns of the same. A *sparver*, with courtaynes to the same, of yellow and greine, from an inventory of furniture, 30 Henry VIII. See Horda Angel Cynnan, III. p. 66, 7. In an inventory, dated 1606, mention is made of a *sparver* of waincoat. Perhaps, *Esp'ver* pur le corps de n're seign'r, in Royal Wills, p. 31. may mean a kind of canopy, that was raised over the sepulchre of our Lord, on Good Friday, when the Pix, containing the consecrated Host, or body of our Lord, was placed on it. See Hist. Norf. V. I. p. 517, 18.

³ The old hangings were generally of arras or tapestry, suspended from the cornice by tenter-hooks, and easily removed.

⁴ A chest in which cloaths, bed furniture, &c. were packed up. A *trussing*-bed was such as could be easily packed up, and removed. A cloth sek horse that caryeth my lord's *trussinge bed*, and all things belongynge yt, when he rydes. See the Household Book, p. 359.

⁵ A large strong chest, like those used by sailors on ship-board. Cofers, or chests, were not trifling legacies, being often curiously wrought, and of costly woods, as cypress, &c.

⁶ Cushions covered with carpet stuff; or do they mean such as were sometimes laid upon carpets, on the floor? for though such carpets were not commonly used, yet perhaps they might be sometimes. The earl of Monmouth tells us, in his Memoirs, that upon his arrival at court, he found queen Elizabeth *sitting low upon her cushions*, p. 136. She had cushions laid for her in the privy chamber, and there she heard service. From that day she grew worse and worse: she *remained upon her cushions four days and nights* at the least: all about her could not persuade her to go to bed. p. 138. On her great seal, her feet rest on a cushion. In Horda Angel Cynnan, III. pl. 15. a carpet is spread on the floor before her.

And

And also I will that my saide wif have the second vestiment ¹ with the albe ², and all that belongeth to it, for a preest to singe in. And I will that my saide wif shall have the reasonnable wearing and occupying of all other my beddes, sparvers, hanginge for beddes, curtaines, plate, cofers, chestes, sheetes, table cloother, and naprre, and hangings for chambers, and all other hangings whatsoever they be, or shall happen to be, at the tyme of my decease, until such tyme as my heire shall accomplish his full age of xxj years; and then to be left for the furniture of my house at Hawsted, except such as shall hereafter in this my present testament be otherwise devised; so as my dettis be paid and discharged, and other legacies in this my present testament fulfilled. Also I will that the said heire at his full age have my best vestiment, with the albe, and all that belongeth to it, and the best aulter clothe, and all the residew of the vestimentis and aulter clothes, with the stuff in the chapell, except such as I have before bequethed to my said wif. And also I geve unto my said heire, at his full age, all the evidences ³ of myn inheritance, which shall remayne, descend, and come to him, with the boxes wherein the same evidences, or any parcel of them, be. And I geve and bequeth to my said wif two brass potts, two spits, a kettill, and two posnets ⁴; and I bequeth to my said heire, at his full age, all the residew of my brass potts, with the residew of my spitts, with racks of yron to tourne spitts in; two kettills, and a panne, with a garnishe of my best vessill ⁵. And I will that my said wif shall have one other garnishe of my best vessill next that; provided always, and I will, that all suche stuffe of housholde, plate, goods, and chattales, as I have afore geven to my saide heire, to be delivered to him at his said full age. And I will, geve, bequeth, and assigne unto my said wif, the mannors of Hawsted Hall and Talmage, otherwise called Buckenham's, with their appurtenances, and all other my landes, tenements, and hereditaments, in Hawsted, Newton, and Sidolmere, which late were my father's Sir Robert Drurye, knight, or any other to his use; to have and to hold the said mannors, landes, tenements, and hereditaments, to my said wif and her assignes, for terme of tenne yeers next, and ymmediatelie following after my decease, to-

¹ The principal vestiment; which was a cope made close on both sides, and open only at the top and bottom; so that, when the priest had occasion to use his hands, he took up the garment before. It was often of very rich stuff.

² The albe was not very unlike the surplice; only the sleeves were close at the wrists. It had on it also some pieces of linen, emblematical of the four nails driven into Christ's hands and feet.

³ To judge from those that have come into my hands, few families have been more careful than this of the preservation of the evidences of their estates.

⁴ Little basons or porringers. Chaffing dishes, *posnets*, and such other silver vessels. Lord Bacon. These in question were doubtless of baser metal.

⁵ Garnish of vessell, was a service of pewter, or some other metal, probably gilt, or washed over; for which reason, in the Northumberland Household Book, it is called, a *garnish of counterfeit vessell*. A garnish of it cost xxxvs.; and two of them served a year. In another place, it is called, *rough pewter vessell*; and, what is strange in the family of so opulent a nobleman, an hundred dozen of it were hired by the year, at iiijd. a dozen. When Warham was enthroned archbishop of Canterbury, in 1504, one of the expences of the dinner was, *de conductione 500 garnish. vas elect. (pewter) capient. pro le garnish, xd.* Lel. Coll. VI. p. 31—3. *Counterfeit basons* and *ewers* are among the articles forbidden to be imported, 4 Edward IV. When old Gremio designed to display the richness and value of his household furniture, he did not disdain mentioning his *pewter* and brass.

Taming of a Shrew, Act II.

wards.

wards the payment of my dettis, and fulfilling this my present testament and last will. And for more suretie that my said dettis and legacies shulde be well and trulye paide and fulfilled, with the yssues, rentes, services, and profitts, coming of the said mannors, lands, tenements, and hereditaments, by the space of tenne yeers, I caused, long before this tyme, astatcs to be executed of all suche the saide mannors, landes, and tenements, as wer of my late father Sir Robert Drurye, knight, to thuse of me for terme of my life, and tenne years next after my decease, without empechement of wast, as by certain deedes indented, sealed, and signed by me more plainlie it appeareth. I will nevertheless that my daughter, dame Marye Corbett, shall have in ferme the scite of the mannor of Hawsted Hall, with all such pasture grounde, and medowe grounde, as Roger Hawsted latelie had and occupied with the same, paying yeerlie to my saide wif, during the said tenne yeers, iijl. And I will and geve to Dorothee Drurye my daughter, for thadvancement of her marriage, two hundred pounds ¹, to be paid at her age of xx^{ti} yeers. And wheare by my dede, sealed with my seale of armes, and signed with my hande, I have geven and granted to my sonne Henry Drurye, and to his heires, one annuitie or yeerlie rente of xx^{ti} marks yeerlie, going out of my manor of Whepstede, mentioned in the same graunte, I will that the same be trulie paide, according to my saide graunte. And also I geve to my saide wif all my other goods and cattalles, whatsoever they be, not in this present testament and last will otherwise geven, bequethed, or assigned, to thintent to perfourme the same, and towards the payment of my said dettis. And I geve unto Bredget Jervis, my saide wif's gentilwoman, vjl. xiijs. iiijd. sterling, toward thadvancement of her marriage. And I geve unto my sonne Henry Drurye, one good fetherbedd, a bolster, a pillowe of downe, a coverlett, a payr of blanketts, and a payr of sheetes. Also I geve, bequeth, and assigne unto the saide Henry Drurye my sonne, and to theires males of his bodie lawfullie begotten, the reversion, after the decease of Elizabeth my wif, of the mannor of Bradfeelde, with the appurtenances, and of other landes, tenementis, and hereditamentis, which I latelie purchased of lord Willoughby of Perham. And I will also, that my saide sonne Henrye shall have yeerlie, during the lif of my saide wif, toward his exhibition ² and living, tenne marks, parcel of the yeerlie rente of nyneteen pounds and odd mony, going out of the mannor of Lawshull, whiche rente the queenes majestie did by her letters patentcs, amonge other things, geve to me and my heires. Item, I geve, bequethe, and assigne, to my saide wif, to the perfourmance of this my present testament and last will, the residewe of the yeerlie rente of xixl. and certayne odde money, going out of the mannor of Lawshull, whiche our soveraine ladie queen Marye lately gave unto me and myne heires, emongest other things, to have and to hold the saide residewe to my saide wif, for terme of xiiij yeers next after my decease; the remayndre therof, after the same xiiij yeers, to the saide Elizabeth my wife, for terme of her lif; and after her decease, and the same xiiij yeers ended, to remayne to theires males of my bodie lawfullie

¹ About 60 years before, this testator's grandfather thought a hundred marcs were a sufficient fortune for a gentlewoman. And in this will, this lady's sister has two hundred marcs assigned her for her fortune.

² Maintenance. A word still familiar in the universities.

begotten; and for default of such yssue, the remayndre thereof to my right heires for ever. Also I geve to my saide wif all my lands, rentes, and reversiones, called Ingeham's, with the Grange called Hencote, and the landes and tenements thereunto belonging, for the terme of xiiij yeers next after my decease, toward the payement of my dettis, and the fulfilling of this my testament and last will. And I geve and bequeth unto every of my houtholde servants tenne shillings. And I will that every of my saide servants shall be well and trulie paide and satisfied of and for all suche somes of money as been due unto them for their wages, as also for their liveraies¹ within one monneth next after my decease; and I will also, that my house be kept at my costes and charge by the space of one monneth after my decease; and that my saide servants, and other of my houtholde, shall, at their free will and pleasure, have and take their meate, drincke, and lodgeing, during that monneth. And wheare I have obtayned and bought of the king and queene's majesties, the wardeship and marriage of Robert Drurye, cousyn and heire of John Drurye, late of Rougham in the countie of Suffolk, esquire, deceased, to thintent that marriage shulde be had betwixt hym and Elizabeth my daughter, my mynde, will, purpose and intent is, that the same marriage shulde take effecte: nevertheless, if any disagreement shall happen to be, ether of the partie of the saide Robert Drurye, or on the partie of the saide Elizabeth; I will then that the said Elizabeth, my daughter, shall have the hole profite and commoditie, that shall or may arise, and growe, by reason of the wardeship, and marriage of the same Robert, or of any other his heire, whiche I ought to have by my said bargayne, with the king and queene's majesties, the same Robert deceasing within age, and unmarried to my saide daughter. And if it happen the said Robert Drurye and his brother to decease before marriage, or disagreement, so as she be not advanced by this gifte; thenne I will that my said daughter Elizabeth shall have two hundred marks for thadvancement of her marriage. And I pray, will, and desire my saide wif, according to such motion as I have made unto her, to assure unto Henry Drurye, Thomas Drurye, and Robert Drurye, sonnes of my saide sonne Robert Drurye deceased, the manor of Hawcombye, with thappurtenances, in the countie of Lincoln, to have and to holde to them in reversion, after her decease, and to theires males severallie of their bodies lawfullie begotten, toward thadvancement and preferment of their livinge. And also her to see to the bringing up of my saide sonne Robert's children, as my speciall and onlie trust is in her, to whome I have committed all theis things before remembred, for those considerations, and other before specified. Item, I geve unto maister Payne vj l. xiijs. iiij d. to Mr. Butler iiij l. to William Wrenne, xl s. to Anne Goldingham iiij l. to Alexander Mariot xl s. and to Water Lorde other xl s. In witnesse of all theis premisses, theis persones undernamed have set to their hands; and the said Sir William hath set to his seale of armes², the day and yere first above written. William Drury, Henry Yelverton, Henry Payn, William Wrenne, Alexander Marriott.

¹ *Liberationes*, or *liberaturæ*, allowances of corn, &c. to servants, delivered at certain times, and in certain quantities. They are often mentioned in old accounts. As *clothes* were among the allowances from religious houses to their dependants (see the *corrodies* granted by Croyland Abbey, Hist. of Croyland, Appendix, N^o XXIV.) it is not improbable that the word came in after-ages to be confined to the uniform of the retainers, or servants of the great, who were hence called *livery-servants*.

² See the plate, N^o 9.

Probatum fuit suprascriptum testamentum, coram dño apud London, 29 die mensis Aprilis, 1558, Juramento Edmundi Brudenell, fratris et procuratoris dñe Elizabeth, relicte dicti defuncti, et executricis, &c.

It appears by the above will that Sir William's eldest son Robert was dead, and that his successor was a minor. This gentleman, whose name was William, had the honour of entertaining queen Elizabeth, at his house here, in her progress in 1578. She rode in the morning from Sir William Cordell's at Melford; and dined with one of the Drurys at Lawshall Hall, about 5 miles distant from Hawsted. This visit is thus recorded in the register of that parish, under the year 1578;

It is to be remembred, that the queen's highnesse, in her progresse, riding from Melford to Bury, 5^o Aug. Regineque 20, annoque dñi predicto, dined at Lawshall Hall, to the great rejoicing of the said parish, and the country thereabouts.

In the evening she came to Hawsted; her apartment there, ever afterwards, as usual, retaining her name. Tradition reports that she dropped a silver-handled fan into the moat. It was at this time, perhaps, that the royal guest bestowed the honour of knighthood upon the master of the mansion.

It was this Sir *William Drury*, I apprehend, who rebuilt, or greatly repaired, Hawsted House, afterwards called Hawsted Place¹, or *The Place*. My reasons for thinking so will appear from some circumstances in the description which I am going to give of it; and in which I shall be the more particular, as it will afford me an opportunity of illustrating in some measure the taste and mode of living at that period.

Its situation, as of many old seats in this neighbourhood, is on an eminence², gently sloping towards the south. The whole
formed

¹ *Place* means a seat, a mansion, a residence. See Mr. Steevens's note on "As you like it," A. II. S. 3.

² The proper situation of houses began to be attended to in this reign. Lord Bacon, who published his *Essays* before the end of it, says, in his 45th, "he that
" builds

formed a quadrangle, 202 by 211 feet within; an area formerly called the *Base Court*, afterwards the *Court Yard*. Three of the sides consisted of barns, stables, a mill-house, slaughter-house, blacksmith's-shop, and various other offices, which Harison, in his Description of Britain, tells us, began in this reign to be thrown to a greater distance from the principal house than they were in the time of Henry VIII. The entrance was by a *gate-house* in the centre of the south-side, over which were chambers for carters, &c. This was afterwards laid open, and fenced with iron palisades. The *mansion-house*, which was also a quadrangle, formed the fourth side, standing higher than the other buildings, and detached from them by a wide *moat*, faced on all its banks with bricks, and surrounded by a handsome terrace, a considerable part of which commanded a fine view of the surrounding country, and bespoke a taste superior to the artificial mount, which in many old gardens was to be clambered up for the sake of prospect. The approach to the house was by a flight of steps, and a strong brick bridge of three arches, through a small jealous wicket, formed in the great well-timbered gate, that rarely grated on its hinges.

Immediately upon your peeping through the wicket, the first object that unavoidably struck you, was a stone *figure of Hercules* ¹,

“ builds a fair house upon an ill seat, committeth himself to prison. Neither do
 “ I reckon it an ill seat only where the air is unwholesome, but likewise where
 “ the air is unequal; as you shall see many fine seats set upon a knap of ground
 “ environed with higher hills round about it, whereby the heat of the sun is pent
 “ in, and the wind gathereth as in troughs.” &c.

¹ Perhaps he might be designed to represent a wild man, or savage, having no attribute of Hercules but his club, and all his limbs being covered with thick hair. He resembles much the supporters of the arms of the late lord Berkley of Stratton, and of the present Sir John Wodehouse. *Hombre Salvagio*, just come out of the woods, with an oaken plant in his hand, and forgrown with moss and ivy, was one of the personages that addressed queen Elizabeth at her famous entertainment at Kenelworth Castle.

as it was called, holding in one hand a club across his shoulders, the other resting on one hip, discharging a perennial stream of water, by the urinary passage, into a carved stone basin. On the pedestal of the statue is preserved the date, 1578, which was the year the queen graced this house with her presence; so that doubtless this was one of the embellishments bestowed upon the place against the royal visit. Modern times would scarcely devise such a piece of sculpture as an amusing spectacle for a virgin princess. A *fountain* was generally (yet surely injudiciously in this climate) esteemed a proper ornament for the inner court of a great house ¹. This, which still continues to flow, was supplied with water by leaden pipes, at no small expence, from a pond near half a mile off.

This *inner court*, as it was called, in which this statue stood, and about which the house was built, was an area of 58 feet square. The walls of the house within it were covered with the *pyracantha* (*Mespilus Pyracantha*) of venerable growth, which, with its evergreen leaves, enlivened with clusters of scarlet berries, produced in winter a very agreeable effect ².

Having crept through the wicket before mentioned, a door in the gateway on the right conducted you into a small apartment, called, the *smoking room*; a name it acquired probably soon after it was built; and which it retained, with good reason, as long as it stood. There is scarcely any old house without a room of this denomination ³. In these, our ancestors, from about the middle of the reign of Elizabeth, till within almost every one's memory, spent no inconsiderable part of their vacant

¹ In the inward court, says lord Bacon, in his model of a palace, let there be a fountain, or some fair work of statues, in the midst. In the court at Redgrave Hall, in this county, used to be a huge figure of Cerberus.

² This plant seems again coming into fashion for covering the walls of houses, particularly in the neighbourhood of London.

³ If modern houses have not a room of this sort, they have one (perhaps several) unknown to the ancient ones, which is, a *powdering room* for the hair.

hours,

hours, residing more at home than we do, and having fewer resources of elegant amusement. At one period at least, this room was thought to be the scene of wit; for in 1688, Mr. Hervey, afterwards earl of Bristol, in a letter to Mr. Thomas Cullum, desires “to be remembered by the witty smokers at Hausted.” Adjoining to this was a large *wood closet*, and a passage that led to the *dining room*, of moderate dimensions, with a large buffet. These occupied half the south front. At the end of the dining-room was originally a *cloyster*, or arcade, about 45 feet long, fronting the east, and looking into a *flower garden* within the walls of the moat. The arches were afterwards closed up and glazed; and a parlour made at one end. There are few old mansions without one or more of these sheltered walking-places; and they certainly had their use: but this age of list, sand-bags, and carpets, that dreads every breath of air, as if it were a pestilence, shudders at the idea of such a body of the element being admitted into any part of a dwelling. This cloyster was terminated by the spacious and lofty *kitchen*, still standing, and well supplied with long oaken tables.

On the left hand of the entrance, and opposite the smoking room, was the *chapel*, a room of state, much affected by the old manerial lords, who seem to have disdained attending the parochial church. The papal licence for it has been already given. The last sacred office performed in it was the christening of the author of this compilation. Through this was a door into the *drawing-room*, or largest parlour, which with the chapel occupied the other half of the south front. Adjoining to the parlour was a large gloomy *hall*, at one end of which was a screen of brown wainscot, in which was a door that led to the *buttery*, &c. These formed the west side of the square. Beneath these apartments, and those on the south side, were the *cellars*, well vaulted with brick. The north side was occupied by the kitchen, and various offices;

offices; and at the back of it was a *drawbridge*. These were the apartments on the ground-floor, which was raised 12 feet above the surface of the moat. Over the gateway, chapel, and largest parlour, were the royal apartments, which were approached by a stair-case out of the hall. On this stair-case, against the wall, stood some painted boards, representing various domestic servants: I have one of them, a very pretty well-painted female, said to be for a house-keeper. I know not whether this fancy be as old as the house; the portrait I have, is certainly, from the dress, not more than a century old. Several bed-chambers of common proportions occupied the chief part of the rest of the first story. Among the rooms on that floor, was one called the *still-room*; an apartment where the ladies of old much amused themselves in distilling waters and cordials, as well for the use of themselves and of their poor neighbours, as for several purposes of cookery¹. In this room stood a death's-head; no improper emblem of the effects of the operations carried on within it.

Contiguous to one of the bedchambers was a wainscoted closet, about 7 feet square; the pannels painted with various sentences, emblems, and mottos. It was called *the painted closet*; at first probably designed for an *oratory*, and, from one of the sentences, for the use of a lady. The dresses of the figures are of the age of James I. This closet was therefore fitted up for the last lady Drury, and perhaps under her direction. The paintings are well executed; and now put up in a small apartment at Hardwick House.

¹ It may not be unentertaining to see a list of some of the plants which were formerly distilled, taken from the Northumberland Household Book.

Roses, buradge, femingtory (fumitory), brakes, columbyns, okyn leefe, hart's tongue, draggons, parcelly, balme, walnot-leefes, longdoheef (langue du bœuf, ox-tongue), prymeroses, saige, sorrel, red mynt, betany, cowflops, dandelyon, fennel, scabias, elder-flours, marygolds, wilde tansey, wormewoode, woodbind, endyff, hawffe.

As some of these emblems are perhaps new, and mark the taste of an age that delighted in quaint wit, and laboured conceits of a thousand kinds; I shall set them down, confessing myself unable to unravel some of them.

The following sentences, which are intelligible enough, are in cartouche scrolls, in narrow panels, at top;

Quod sis esse velis, nihilque malis.

Summam nec metuas diem, nec optes.

Quæ cupio, haud capio.

Parva, sed apta mihi: nec tamen hic requies.

Nunquam minus sola, quam cum sola.

Amplior in cælo domus est.

Frustra nisi Dominus.

Emblems with mottos.

1. A monkey sitting in a house window, and scattering money into the street ¹.

Ut parva labuntur.

2. A camel trampling in dirty water ².

Pura juvent alios.

3. A fire on the banks of a river.

Dum servi necessaria ³.

4. A painter, having begun to sketch out a female portrait.

Dic mihi, qualis eris ⁴?

5. A human tongue, with bats wings, and a scaly contorted tail, mounting into the air ⁵.

Quo tendis?

¹ This is among the emblems of Gabriel Simeon, a Florentine, (published in English, together with the “*Heroical Devices*” of Claudius Paradin, in 1591), and designed to make us “laugh at those usurers, and the like, who heap up great sums of money, and leave it either to their brother or nephew, or else to dicers, whoremasters, gluttons, and the like, scarcely ever remembering this excellent and golden sentence, *male parva male dilabuntur.*”

² The camel is reported to love dirty water, and, it is said, will not drink at a river, till he has troubled it with his feet. This is among the symbols and emblems published by Camerarius in 1590, with this distich;

Turbat aquam sitiens cum vult haurire camelus;

Sic pacem, ex bellis qui lucra fæda fitit.

³ Alluding to the old adage, *Fire and water are good servants, but bad masters*

⁴ A hint to female vanity.

⁵ This is among the *Heroical Devices* of Paradin; and means to shew the foul extravagances of this unruly member.

6. A tree with sickly leaves, and a honey-comb at its roots. Near it another, quite leafless.

Nocet empty dolore voluptas.

7. An eagle in the air, with an elephant in its talons.

Non vacat exiguis.

8. Some trees leafless, and torn up by the roots; with a confused landscape. Above, the sun and a rainbow ¹.

Jam satis.

9. An old man asleep, with asses ears, and ants that seem carrying something into his mouth.

Etiam asino dormienti.

10. One man standing on the uppermost point of the earth; and another antipodal to him.

Et hic vivitur ².

11. A man endeavouring to light a candle at a glow-worm.

Nil tamen impertit.

12. A globe resting on a crab.

Sic orbis iter.

13. A greyhound disengaged from his collar, and licking his master's hand.

Non fugitiva fides.

14. The sun quite black, and golden stars.

Nec curo videri.

15. A blackamore smoaking a pipe ³.

Intus idem.

16. A bird of prey, in the air, devouring a small bird ⁴.

Fruor nec quiesco.

17. A man rowing in a boat, with a town close in sight.

Et tamen averfor.

18. A bee-hive, with bees about it.

Cum melle aculeus.

19. A fire bursting from the top of a chimney.

Alte, sed extra locum.

¹ The most faire and bountiful queen of France, Katherine, used the sign of the rainbow for her armes, which is an infallible sign of peaceable calmenes, and tranquillitie. Paradin.

² This, I suppose, alludes to Sir Francis Drake's Voyage round the World in 1580; an atchievement, which must for many years have continued the subject of discourse and admiration. In modern times, such an expedition is looked upon as scarcely more than a common navigation.

³ The blackamore and the pipe were, in the reign of James, thought suitable companions for one another. The king's dislike of tobacco is well known.

⁴ The meaning of this emblem is perhaps the same with one in Camerarius, which represents a bird of prey in the air, with a small bird in his talons, and in pursuit of some others, with this motto and distich:

Parta tenens, non parta sequar.
Multa licet fido sapiens in pectore condat,
Plura avido tamen usque appetit ingenio.

20. A pilgrim traversing the earth; with a staff, and a light-coloured hat, with a cockleshell on it ¹.

Dum transis, time.

21. A man's hand holding something like a rope lighted, and from which smoke and fire issue.

Arfit, crepuit, evanuit.

22. An ass standing on his hind legs, his head appearing through the upper part of a white area. Beneath his head a horse is feeding. Near them is a woodcock, with one foot on a lanthorn.

Et occulte, et aperte.

23. A bear in his den.

Obscure, secare.

24. A man taking the dimensions of his own forehead with a pair of compasses ².

Fronti nulla fides.

25. A man in a fool's dress, blowing with a pair of bellows a pot suspended in the air, with some fire in it ³.

Sat injussa calet.

26. A death's head, with some plant of a dark hue issuing from one eye, and lying on the ground; while a similar plant, of a verdant colour, springs erect from the other.

Ut moreris vives.

27. A bat flying after a large black insect.

Trahit sua quemque.

28. A rose and a poppy.

O puzzi, O ponga.

29. A mermaid, holding a mirror in one hand, and combing her hair with the other.

Spem fronte.

30. A bucket descending into a well.

Descendendo adimpleor.

¹ With his *cockle bat* and *staff*. Shakspeare. Or, as he is described in *Green's Never too late*, 1616.
With *Hat of straw*, like to a swain,
Shelter for the sun and rain,
With *scallop-shell* before.

The cockle-shell hat was one of the essential badges of the pilgrims' vocation: for the chief places of devotion being beyond sea, or on the coasts, they were accustomed to put cockle-shells upon their hats, to denote the intention or performance of their devotion. Warburton. See *Hamlet*, A. IV. S. IV.

² This, I suppose, is designed as a contradiction to a fancy of Aristotle's, that the shape, and several other circumstances, relative to a man's forehead, are expressive of his temper and inclination. Upon this supposition, Simeon, before-mentioned, has invented an emblem, representing a human head, and a hand issuing out of a cloud, and pointing to it, with this motto, *Frons hominem præfert*.

³ This may perhaps express the folly of those who are fond of fomenting disputes and animosities: as that more elegant one of Simeon's, which represents a warrior stirring a fire with his sword, and losing one of his eyes by a spark that flies out of it, with this motto, *Ignis gladio non fodiendus*.

31. An eagle, going to take something from a fire. Her nest of young ones near.
Pie sed temere.

32. A naked blackamore pointing to a swan with one hand, and to his own teeth with the other.

Jam sumus ergo pares.

33. A bird ¹ thrusting its head into an oyster, partly open.
Speravi et perii.

34. A bird ² feeding in a crocodile's mouth.
Pascor, at haud tuto.

35. A boar trampling on roses ³.
Odi profanum vulgus.

36. A ship that has anchored on a whale ⁴, which is in motion. The crew alarmed.
Nusquam tuta fides.

37. Two rams fighting, detached from the flock.
Nec habet victoria laudem.

38. A hedge-hog rolled up, with apples on his prickles ⁵.
Mibi plaudo ipse domi.

39. A philosopher looking at a star with a quadrant.
Desipui sapiendo.

¹ It is called the *Oyster-catcher* (*Hæmatopus ostralegus* Lin.) and is said to do its business very dextrously. The motto seems to suppose otherwise.

² *Trochilus*, a kind of wren; which is reported to live on the fragments of meat which it picks out of the crocodile's mouth; an operation with which the latter is so delighted, that he entertains the greatest affection for this bird, and takes the utmost care not to hurt it. Camerarius, before-mentioned, represents the crocodile as an emblem of gratitude, on this account, with this motto, *Gratis servire jucundum*. How the present motto is applicable to the subject, I cannot say.

³ That is, an impure and voluptuous person trampling upon, and despising elegant and virtuous pleasures. Camerarius has this, with the following distich;

*Quid subus atque rosis? nunquam mens ebria luxu
Virtutis studiis esse dicata potest.*

⁴ Milton has presented us with this image;

————— that sea beast,
Leviathan, which God of all his works
Created hugest that swim the ocean stream:
Him, haply slumb'ring on the Norway foam,
The pilot of some small night-founder'd skiff,
Deeming some island, oft, as seamen tell,
With fixed anchor in his scaly rind,
Moors by his side, under the lee.

Par. Lost, B. II. 200.

The above passage, Mr. Warton thinks, the poet drew from one in his favourite Ariosto, where Asolpho, Dudson, and Renaldo, are said to have seen so large a whale, that they took it for an island.

Notes on Spenser, vol. II. p. 261.

⁵ The emblem of a frugal careful person. Pliny tells us, *Præparare Hieme erinaceos tibi Cibos; et volutatos supra jacentia poma, affixa spinis, unum non amplius tenentes ore, portare ea in cavas arbores*. Plutarch says, that the hedgehog, in autumn, rolls itself among the grapes, which it has contrived to pull from the vines, and which it conveys, upon its spines, to its young ones. To this latter account Camerarius alludes in this distich;

*Ericium hic qui ceu gradientem conspicias uvam
Frugi sis, et opes tu quoque linque tuis.*

40. A garland of leaves lying on the ground, and in flames.

Quid ergo fefellit?

41. A full bucket drawn up to the top of a well.

Haud facile emergit.

The bottom panels are adorned with flowers, in a good taste.

The windows, in general, were spacious ¹, but high above the floors. In still earlier times, they were very narrow, as well as high, that they might be more difficult marks for the arrows of an enemy; and that, if the arrows did enter, they might pass over the heads of those that were sitting. After this precaution was needless, the windows, though enlarged, continued to be made high, even till modern days. The beauty of landscape, so much studied now, was then but little or not at all regarded; and high windows, when opened, ventilated the apartments better than low ones ², and when shut, the air they admitted was less felt.

On two porches, between which stands the figure of Hercules, are still extant in stone the arms of Drury, consisting of 16 quarterings, and those of Stafford of Grafton, O. chev. G. with a canton Ermine, and 5 other quarterings. This circumstance, corroborated with the general style of the building, and the date on the pedestal of the statue, induced me to believe, that this house was rebuilt, or thoroughly repaired, by that Sir William Drury, who married a lady of the name of Stafford, who succeeded to the estate upon the death of his grandfather in 1557.

¹ Windows, large even to excess, were become so fashionable in this reign, that lord Bacon, in his 45th Essay, complains, “ you shall have sometimes fair houses so full of glass, that one cannot tell where to become, to be out of the sun, or cold.”

² This, I am aware, is a doctrine that has of late been combated by some French philosophers, who inform us, that, from experiments made in hospitals, they find that the unwholesome vapours, issuing from the invalids, do not mount to the top of the apartments, but are suspended, not much above the evaporating bodies.

The walls of the house were chiefly built of timber and plaster. *The plaster* in the front was thickly stuck with fragments of glass, which made a brilliant appearance when the sun shone, and even by moon-light. Much of it still remains, and appears to be but little injured by two centuries; perhaps, will survive the boasted stucco of modern artists. I wish I could give the receipt for this excellent composition: I can only say, it contains plenty of hair, and was made of coarse sand, abounding with stones almost as big as horse-beans. And in some of the old walls round the house, where the bricks have crumbled away, the layers of mortar continue found, and support themselves by their own compactness. The art was not lost even in the last century; for some plaster on an outhouse, which bears the date of 1661, still remains perfectly firm.

This house was no bad specimen of the skill of former artists, in erecting what should last. Part has been taken down, not from decay, but because it was become useless. What is left promises to stand many years. The mode of its construction contributed to its durability; for the tiles projected considerably over the first story, and that over the ground floor: so that the walls and sills were scarcely ever wetted.

In the year 1685, this house paid taxes for 34 fire-hearths.

The banks of the moat were planted with yews and variegated hollies; and, at a little distance, surrounded by a terrace that commanded a fine woodland prospect. Here were *orchards* and *gardens* in abundance; and a *bowling-yard*, as it was called, which always used to be esteemed a necessary appendage of a gentleman's seat¹.

¹ Sir Thomas Hanmer, the speaker, who died in 1746, had a very fine one, contiguous to his house at Mildenhall; and was perhaps one of the last gentlemen of any fashion in the county, that amused themselves with that diversion.

This

This place was well furnished with *fish-ponds*. There is near it a series of five large ones, on the gentle declivity of a hill, running into one another; the upper one being fed with a perennial spring. There is another similar series of small ones, that served as stews. These must have been made at a very heavy expence; but they were necessary, when fish¹ made so considerable a part of our diet, as it did before the Reformation; and when bad roads made sea fish not so easily procured as at present.

There was also a *rabbit-warren* in the park, a spot that would have borne good wheat. But it was, like a *pigeon-house*, a constant appendant to a manerial dwelling. 8 Jac. I. a stable near the *coney-warren* was let with the *dairy farm*: and even in the next reign we hear of the *warrenor's lodge*.

One principal reason of the number of warrens formerly, was the great use our ancestors made of furr in their cloathing. "I judge warrens of conies," says Harrison, "to be almost innumerable, and daily like to increase, by reason that the black skins of those beasts are thought to countervayle the prizes of their naked carcases." The latter were worth 2½d. a piece, and the former 6d.² 17 Henry VIII.

I shall close the account of this ancient feat by a summary description of it, in a survey of the manor taken in the year 1581.

¹ Sir William Dugdale has preserved a curious instance of the great price, at least in the interior parts of the kingdom, of what is now esteemed a very ordinary fish. 7 Henry V. a breme was rated at xx d. and 32 Henry VI. a pye of four of them, in the expences of two men employed for three days in taking them, in baking them in flour, in spices, and conveying it from Sutton in Warwickshire, to the earl of Warwick, at Mydlam in the north country, cost xvjs. ijd. Hist. Warwick, p. 668.

² See "Forme of Cury," pp. 166, 8.

Willielmus Drury miles, dominus hujus manerii, habet in manibus suis scitum manerii de Buckenhams, in quo inhabitat, quam optime constructum, cum uno curtilagio, gardino, uno le mote circumjacente, uno le *traves*¹ ante portam messuagii predicti, et unam magnam curiam undique bene edificatam, cum stabulis, orreis, pistrino, le dayery howse, et aliis edificiis necessariis et aptis pro manutenzione capitalis messuagii predicti, et uno orto sive pomario, ex parte orientali messuagii et magne curie predictæ.

Sir William Drury was elected one of the knights of the shire in 1585; and in 1589 killed in a duel in France. His corpse was brought into England, and interred in the chancel here, where a fine marble bust of him in armour still remains.

The commission for the inquisition after his death is dated 18 Feb. 22 Elizabeth, and directed to William Waldgrave, John Higham, Nicholas Bacon, and William Spring, knights; to enquire into the annual value of Sir William's lands, at the time of his death, particularly of the manors of Bokenham, Talmage, and Hawsted; and a tenement in Reed, called Pickard; also what household stuff, and napery, and other linen.

The depositions were taken at Bury, 24th September following, from which I have selected a few particulars.

Roger Reve of Bury, gent. holds, by lease, the profits of the fayres and markets in Bury, at 36 l. a year's rent, 40s. deductions. 140 pounds of hops were worth 4l. which is about 7d. a pound. Wheat 8s. a comb; barley 6s. 8d. rye 5s.

The *new park* is unletten, worth about 20 marks yearlie, besides profits of deer and conies. Another person valued the park very differently, unless he included the profits of the live stock in it: he said, the new park is not very much charged with deer and conies; and worth yerelie 50l.

¹ *Traves*, the dictionaries say, are a kind of shackles for a horse, that is taught to amble or pace. Does the word here mean the place where horses were so trained? In a lease dated 1593 (which will be hereafter mentioned) a *close*, or *walk*, called the *Horsewalk*, appears to have been near the house.

The demefnes and profits of the manors of Hawfted, and for copiehold and freehold thereof, amount yeerlie to 127 l. befides the rent corn.

In his time, two little eftates had acquired the names of *manors*; for, in a furvey of the manor taken in 1581, we met with *manerium de Cobdowes*, and *manerium de Felets*; but no manerial rights or privileges appear to have been annexed to them. The truth is; where a perfon of fome confequence refided or *remained* (*manebat*), his houfe and demefnes frequently acquired the title of a *manor*.

At the fame time many of the houfes were faid to be well built, and covered with tiles, as the parfonage, the hall, the long houfe near the church, &c. and furnifhed with *orchards* and *gardens* planted with various kinds of fruit-trees, befides *bopyards*, that will be mentioned hereafter, fo that the village feems to have been in a prosperous ftate at that period.

Several lanes, as they are now called, ftill retained the names of *streets*; as *Pinford Strete*; *Smyth Strete* that led from the Green towards Bury; *Caldwell Strete* (or Frames Lane), that led from Hawfted Green to Menoll Green; this laft taking its name from the fpring, or well, mentioned at p. 5. *Street* often fignified formerly a made road or way, *stratum*, as *Icknild Street*, *Watling Street*, &c.

Sir William was fucceeded by his eldeft fon *Robert Drury*; who, even before he was out of mourning for his father, attended the earl of Effex to the unfuccefsful fiege of Rohan, in 1591, where he was knighted¹, when he could not exceed the age of 14 years.

¹ He was knighted, fays his epitaph (fee p. 55.) not at home, but at the fiege of Rohan—a circumftance that was mentioned, as adding a luftre to his title. He was not “dubb’d with unhack’d rappier, and on carpet-confideration,” but in the field of battle; an honour, of which military people were not a little proud; and who contemptuoufly called thofe *carpet knights*, who received that dignity at home in the foft filken days of peace. See Johnson’s and Steevens’s notes on Twelfth Night, Act. III. S. IV.

As soon as he came of age, he connected himself with one of the best families in the county, by marrying Anne, the eldest daughter of Sir Nicholas Bacon, of Redgrave, the first baronet of England. In 1603, he was elected one of the knights of the shire; an honour which he enjoyed as long as he lived. He patronized the learned and witty Dr. Donne, to whom and his family he assigned apartments in his large house in Drury Lane. In Dec. 1610, he had the misfortune to lose his only surviving child, which seems to have produced a great change in his designs, and plan of life; for not long afterwards, he let his dairy and park here for three years: and in that lease, which will be mentioned hereafter, are some instances of his taste for horticulture, and the embellishment of his seat. On the 18th of March following, he founded that ample charity of 52l. a year, already mentioned. With the same spirit of liberality, he bestowed, the September following, a munificent reward upon a faithful servant: it may be a curiosity to see the form and manner in which he did it.

This indenture, made 3 Sept. 1611, between Sir Robert Drury and Gabriel Catchpole, of Hawsted, yeoman, witnesseth, that the said right worshipful Sir Robert Drury, for and in consideration of the good and faithful service of the said Gabriel already done and performed, and hereafter to be done and performed, unto the said Sir Robert Drury, while strength, and habilitie of the bodie, of the said Gabriel will permit, hath demised, granted, and to farm letten, unto the said Gabriel, and his assigns, all that messuage, lately built upon a parcel of ground, some time a wood, known by the name of Bryer's Wood, in Hawsted, with all the buildings, orchards, gardens, lands, meadows, &c. now used with the same; also a close of land, called Sparrow's Tuft, containing 20 acres, for 40 years, if the said Gabriel should live so long; he the said Gabriel paying yearly to the said Sir Robert, his heirs and assigns, for the same, one pepper corn at Michaelmas. Provided always, that it may be lawful for the said Sir Robert, during any part of the above term, to revoke and make void the grant. The said Gabriel agreeing to repair the house and buildings belonging to the demised premises.

About

About the same time, when Sir Robert sold the lease of the almoner's barns, tithes, fairs, and markets, of Bury; he gave that town 100 l. to remain as a stock for ever, to purchase fireing for the poor there.

In 1612, he made a journey to Paris, and persuaded Dr. Donne to attend him; it was there the Doctor saw the remarkable vision of his wife, who was at that time brought to bed of a dead child in England¹.

Sir Robert seems now to have quitted his seat at Hawsted; and to have resided at *Hardwick House*, not far distant. For in the year 1613, he procured a licence from the archbishop of Canterbury for having divine service performed in his house there, for himself, wife, and servants, as well as for the widows of his newly founded almshouse. This licence is signed, Tho. Ridley; and the seal of red wax appendant to it, is engraven in the plate, N^o 2.

Dr. Walton is mistaken, in making Sir Robert accompany lord Carlisle in his embassy to Paris, for that was in 1616; and Sir Robert died the latter end of May, 1615. He was buried on the north side of the chancel here; where his widow erected a beautiful monument to the memory of his father and him, employing that excellent artist Nicholas Stone, who had given so fine a proof of his ability, in the tomb of her father and mother in Redgrave church.

Thus did the name of Drury become extinct in this village, having flourished in it just 150 years.

Sir Robert had two daughters: the elder, Dorothy, died at the age of 4 years; the younger, Elizabeth, to increase the grief of her parents, reached almost 15. Of this young lady's monument, with her epitaph, some account has been already given, p. 53. Tradition reports, that she died of a box on the ear, which her father gave her. This conceit rose probably

¹ Biog. Brit.

from her being represented both on her monument, and in her picture, as reclining her head on one hand; just as the story of lord Ruffel's daughter dying of a prick of her finger took its origin from her statue in Westminster Abbey, which represents her as holding down her finger, and pointing to a death's head at her feet. Another tradition relating to her is, that she was destined for the wife of prince Henry, eldest son of James I. She was certainly a great heiress; and their ages were not unsuitable: but whether there be more truth in this, than in the other, I pretend not to say; though this came from respectable authority. What is certain is, that she is immortalised by the Muse of Dr. Donne, who had determined to celebrate her anniversary in an elegy as long as he lived;

Accept this tribute, and his first year's rent,
 Who, till this dark short taper's end be spent,
 As oft as thy feast sees this widow'd earth,
 Will yearly celebrate thy second birth,
 That is, thy death. — — —

However, we have nothing beyond the second anniversary: the truth seems to be, that panegyric had been so profusely lavished, in two essays, that it was quite exhausted. Some of the lines have been noticed in the Spectator, N^o 41, where they are by mistake said to be a description of Dr. Donne's mistress, instead of the departed daughter of his friend. They are inscribed on her portrait in my possession; and, I should suppose, from the appearance of the paint, were put there soon after they were written. They are now inserted at the bottom of the engraving. This portrait is as large as life, well painted; and the only one of the family left at *Hawsted Place*. The great expectations of the person it represents, the praises bestowed upon her by one of the greatest wits of the age, and the singularity



to R. Russell, delin 1783, from the original painting, in the possession of N. J. Collins, Esq.

Mrs. ELIZABETH DRURY; died 1610, in her 15th Year.

— — — — — *Oh! pure and innocent. Blood
Spoke in her Cheeks, and so distinctly wrought
That one might almost say, her Body thought.*

W. D. Sculpsit

larity of the attitude, seem to make it worthy of being preserved by the graver. The original is much more highly finished than could be represented upon the scale of the present plate.

Lady Drury resided, during her widowhood, at Hardwick House; and in 1616, procured a renewal of the licence for a chapel there. The place chosen for that purpose, by this lady of fortune and rank, was an absolute cellar; and puts one in mind of those caverns, in which the primitive Christians are said to have sometimes performed their religious services, for the sake of privacy. She died at Hardwick House, 5 June, 1624, and was buried in Hawsted chancel the next evening¹; the register alone recording her death, though she had left a void space after her husband's epitaph, for the insertion of her own².

Sir Robert's heirs were his three sisters. 1. Frances³, married first to Sir Nicholas Clifford; afterwards to Sir William Wray, of Glentworth, in Lincolnshire, Bart. from whom are descended the present Sir Cecil Wray, Bart. and lord Boston. 2. Diana, second wife to Sir Edward Cecil, third son of the first earl of Exeter. 3. Elizabeth, second wife of William, second earl of Exeter, by whom she had three daughters, from whom the noble families of Suffolk, Stamford, &c. are descended. Upon the partition of Sir Robert's estates, that at Hawsted, and its environs, was settled on the lady Wray; the widow of whose only surviving son Sir Christopher, the honourable dame Albinia Wray, with three of her sons, sold the estate she possessed here, 15 October, "in the year of our Lord Christ (according to the

¹ This would be reckoned very quick dispatch, even for a person of the humblest condition; but there is a similar instance of a lady Drury, who was also a widow, in 1575. See extracts from the parish register under that year, p. 69.

² See p. 56.

³ This lady resided in Lincolnshire; how long she lived, I cannot exactly say. She executed a lease of lands here in 1635, and was dead before 1647, when her charity, still enjoyed by the poor of this village, took place.

“ accompt used in England), 1656,” to Thomas Cullum, esq. for 17,697 l. when the interest of the Drurys ceased here, after a continuance of 190 years.

In the church chest are preserved some papers, which may help us to form an idea of some of the numberless oppressions, under which the nation in general, and this village in particular, laboured, during the civil wars, and consequent usurpation, of the last century. I shall transcribe some of them.

1. The 9 day of Jenevary, 1642, receaved of the constables of Hawsted, the som of twenty on pound, leven shillings, fouer pence, which sayd som was imposed upon the sayd toune, towards the laste motive of the gret subside, granted by the temporall, in the seventten yere of his majesty's rayne. I saye receaved the day and yere above written, the som of 21 l. 11 s. 4 d. for the use of king and parlemente, p me, John Daynes.

2. June 6, 1642, receaved of the church wardens and overseers of Hawsted, there contribution for there poor distressed brethren in Ireland, the sum of 16 l. 16 s. which I am to pay to the high sherife. I say, receaved p me, Jo. Sparrowe.

3. In April, 1643, the weekly assessment¹ upon lands and goods amounted to 2 l. 14 s. 8 d. How long this weekly assessment continued does not appear; but at least to September.

4. Whereas by a late ordinance of parliament, intimating the approaching of the enemy towards the confines of these associated counties², five hundred horse, with the trayned troopes, are to be raised in the said counties, which are to marche to Cambridge for the safetie of the association: whearof 350 horses are charged upon this county, for the compleating the said service; the proportion of our hundred of Thingo being 11 and upwards, every horse to be worth 10 l. at least, furnished with a sufficient grate saddle, pistols and swords, of five pounds of monneys; to provide the same to bee paid to the treasurer appointed by the deputy leasetennants; for the repayment wheareof, every parish and partie shall have the publique faith. And alsoe, that every towne and parish doe send thare horses, and fit riders, armed as aforesaid, with one mounth's pay, being 3 l. 10 s. which is also to be paid to the said treasurer, at Bury St. Edmond's in the said county, the 22d day of this instant August. The said monies are to be raised according to the useall rates. These are therefore, by virtue of the said ordinance and warrant from the deputy leasetennants, to require you to find one horse and rider compleat as abovesaid, with the mounth's pay, and bringe him before the deputy leasetennants, the day abovesaid. And you

¹ These assessments were ordered to be made by both houses of parliament, 28 February, 1643, for the repayment of 60,000 l. with interest, which the citizens of London had advanced for the supply of the army.

² Essex, Cambridgeshire, Isle of Ely, Hertfordshire, Suffolk, Norfolk, and city of Norwich, associated in 1642. Of these the earl of Manchester was general.

are hereby authorized to distraine such as shall refuse to pay the said rates, and to make sale of the goods so distrained, according to the ordinance of parliament. Hereof fail not. Dated at Reede, August 12, 1643. Jo. Sparrowe.

To the constables
of Hasted.

You are to receive of the constables
of Nowton towards the charge, 5l.

23 August, 1643.

5. Received of the towne of Halsted, a bl. Horse }
for the use of the kinge and parliment, prised } x lb.

p Thomas Chaplin.
Samuel Moody.

6. April 25, 1644. Received the day and year above written, by me, whose name is subscribed (being treasurer for raising money towards payment of the hundred thousand pounds agreed to be forthwith advanced for our brethren in Scotland, towards payment of their army, raised for our assistance), the sum of 45 shillings, of Mr. Sparrow, high constable of Thingo hundred, in the county of Suffolk, which is to be paid to the said Mr. Sparrow or his assigns, with interest, after the rate of eight pounds per cent. for the speedy payment whereof the publicke faith of both nations is engaged. I say, received of several persons in Hasted, in the said hundred. John Clarke.

7. October 2, 1644. Received the day and year above written, by me Sir Thomas Middleton, knight, of divers persons of the town of Hawsted, the sum of four pounds of lawful money of England, being so much voluntarily lent by them, towards raising of forces to be employed under my command, for the reducing of North Wales to their due obedience to the parliament; and to be repayed to the said townsmen, their executors, or administrators, with interest for the same, after the rate of 8l. per cent. per ann. by such ways and means as are expressed in an ordinance of the lords and commons in parliament, published in print, 21 February last, enabling me the said Sir Thomas Middleton to take subscriptions for the service aforesaid. Thomas Middleton.

Received by me, John Sparrowe.

8. About the same time was "a rate made according as the two l. s. d.
" former great subsidies were gathered," which amounted to — 11 2 6

9. Collected in the parish of Hasted, October 13, 1644, for Sir William Brueton ' ————— 3 11 4

10. Constables accounts.

1655. Paid to Goodman Hayward, for carrying xxi lodes of saltpettr
to Bury ————— 1 14 0

Paid to Martin Nunn, for carrying of a lode of tubs for the saltpettr
men ————— 0 3 4

1656. Laid out for the towne for a sword and hanger — — 0 8 6

* Brereton. He was general of Cheshire.

Laid

Laid out for 2 headpeces, and for scoring (scouring) and lining and fringe	—	—	—	—	—	—	0	5	6
Laid out for Bandelleors ¹	—	—	—	—	—	—	0	2	0
Laid out for a lock for the towne musket	—	—	—	—	—	—	0	4	6
Laid out to Henry Perkin and Francis Hilder for trayning, and a quarter of powdere	—	—	—	—	—	—	0	2	4
Laid out to Mr. Gilly for a costlet ² and a headpece	—	—	—	—	—	—	1	10	0
Laid out to Thomas Porker for going to Mildenhall, and for a quarter of powder	—	—	—	—	—	—	0	1	4
Laid out for scoring the costlet, and lining it, and lessning it, and mending the prick	—	—	—	—	—	—	0	7	6
1658. Laid out for carrying <i>ashes</i> to Sudbury	—	—	—	—	—	—	1	0	0

During the above period, the constable was almost continually employed in relieving and conveying foldiers and others, many of them said to have passés from the Protector himself. Incessant *bues and cries* were the consequence of the country being thus infested with vagabonds.

The affair of saltpetre, that occurs above, requires some explanation; and I am enabled to give a satisfactory one, from bishop Watson's Chemical Essays ³. “ Before such large quantities of saltpetre were imported from the East Indies, the manufacturing of it in England was much attended to; though it appears from a proclamation of Charles I. in the year 1627, that the saltpetre makers were never able to furnish the realm with one-third of the saltpetre requisite, especially in time of war. This proclamation was issued in 1627, in consequence of a patent granted in 1625, to Sir John Brooke and Thomas Ruffel, for making saltpetre by a new invention. In this new invention, great use was made of all sorts of *urine*; for the proclamation orders all persons to save

¹ Bandoleers, for muskettiers; which are little charges of powder like boxes; so called because they are hanged and fastened to a broad band of leather, which the man puts about his neck. Minshew. Sometimes, the band or belt itself, with its charges, was so called. See a print of one of these accoutrements, in Horda Angel Cynnan, vol. III. plate 21. fig. iv.

² Costlet. Armour for the breast and back.

³ Vol. I. p. 286.

“ the urine of their families, and as much as they could of their
 “ cattle, to be fetched away by the patentees, or their assigns,
 “ once in twenty-four hours in the summer, and in forty-eight
 “ hours in the winter season. This royal proclamation was no
 “ small inconvenience to the subject; but it was not so great a
 “ one as that by which the saltpetre makers were permitted to
 “ dig up the *floors* of all *dove-houses*, *stables*, &c. the proprietors
 “ being at the same time prohibited from the laying of such
 “ floors with any thing but mellow earth. To this grievance all
 “ persons had been subjected by a proclamation in 1625, which
 “ was revived in its chief extent in 1634; the new invention
 “ not having answered the purpose for which the patent has
 “ been granted; and it was not till the year 1656, that an act
 “ of parliament passed, forbidding the saltpetre makers to dig
 “ in houses or lands, without leave of the owners.” Water
 having been poured upon earths, in which saltpetre is generated,
 to dissolve all the salts contained in them, is afterwards passed
 through *wood ashes*, in order to supply the unformed parts of the
 saltpetre with a proper alkaline basis ¹.

From the above quotation we may conjecture, that the 21
 lodes of saltpetre carried to Bury, were loads of earth from dove-
 houses, stables, &c.; and that the tubs for the saltpetre men,
 were full of urine, or some other material of the same kind.
 In 1668, occur these articles;

							s.	d.
For carrying <i>saltpetre liquor</i>	—	—	—	—	—	—	18	4
For carrying of the tubs	—	—	—	—	—	—	3	0

These last charges shew, that though Cromwell relaxed the
 most vexatious part of the saltpetre grievance; the nation still
 continued to be in some degree burthened with it, even after the
 Restoration.

¹ P. 200.

CULLUM.

This family was seated at Thorndon, in this county, at least as early as the 15th century; for in 1483, *John Cullum* of that place, by his will, directed his body to be buried in the church-yard there; appointed a secular priest to pray and sing a year for his soul, and to be paid by his son Thomas; and bequeathed several legacies to religious uses. For paying his debts, and fulfilling his will, he ordered his lands in Wetheringset to be sold. He mentions John and Sybly Cullum, who, I presume, were his children. This will was proved 8 June, 1483; and is extant in the archdeacon of Sudbury's office at Bury.

The above Thomas Cullum occurs, in 1494, as a feoffee in a deed, which relates to the village of Thorndon, as I was informed by the late Mr. Ives.

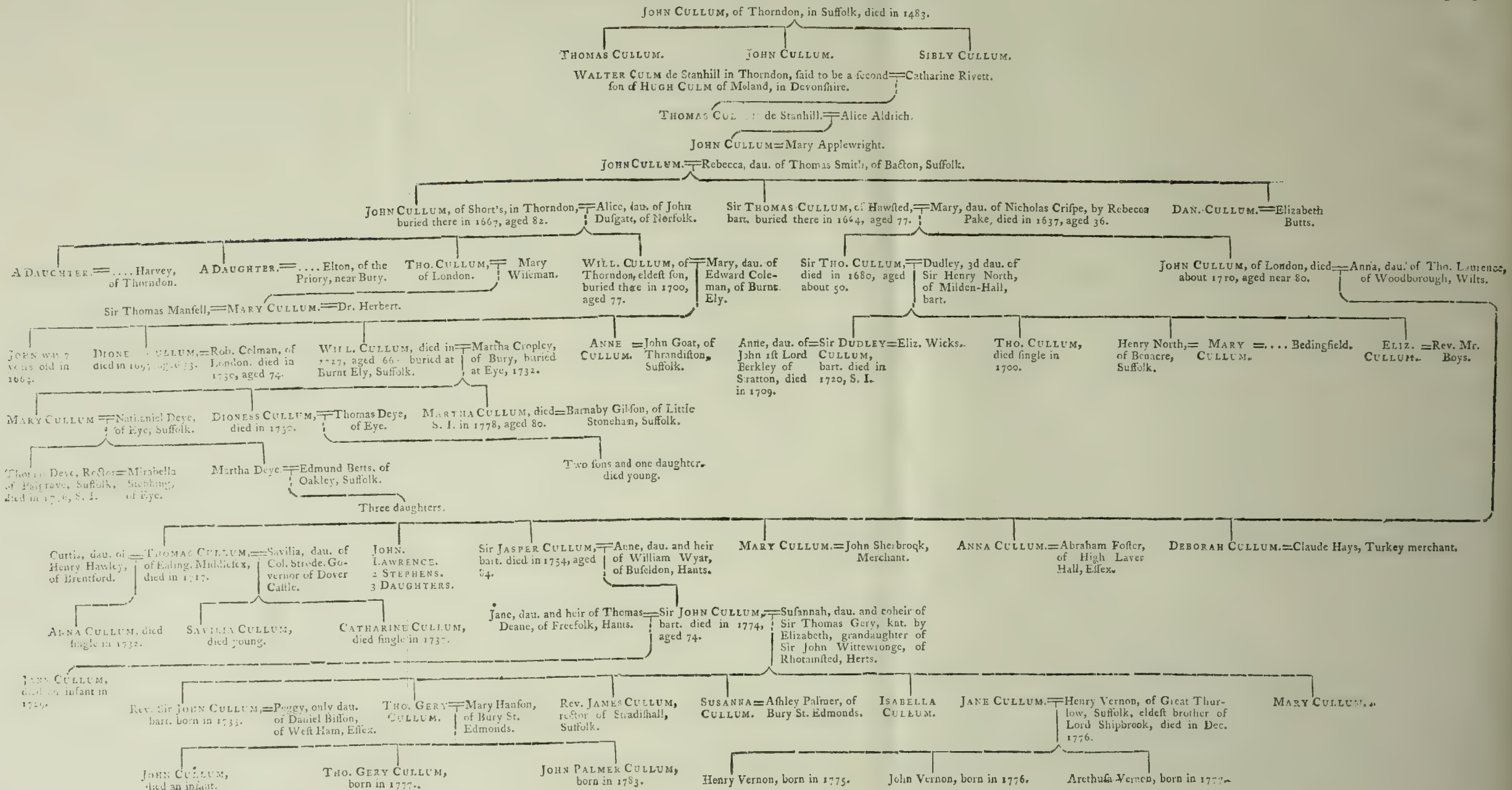
There seems therefore but little occasion to derive this family, as the heralds have done, from the *Culms* of Devonshire, and to seat it in this county, only four generations before Sir Thomas Cullum, who died in 1664; when the name occurs here, according to its present orthography, full 300 years ago.

The first of the family, connected with Hawsted, was *Thomas Cullum*, who, being a younger son, was put to business in London; and became a very successful draper in Gracechurch Street. He married a daughter of Mr. Nicholas Crispe, who died in the prime of life, leaving him the father of a numerous off-spring. I find the following epitaph for her, in her husband's hand. The monument was probably consumed by the dreadful fire in 1666.

Hear under resteth the body of the truly vertuous gentlewoman Mrs. Marie Cullum, daughter to Mr. Nicholas Crispe, marchant, wife to Thomas Cullum, draper,
of

PEDIGREE of CULLUM, of SUFFOLK.

To face p. 152.



of this parish. She departed this life the 22d of July, 1637, in the 36th year of hir age, having had issue 5 sons, and 6 daughters.

Hir corpes interr'd lies hear,
Which liv'd with a free spirit,
Who by God's mercie,
And hir Saviour's meritt,
Departed in assured hope
And certain trust,

To reigne eternallie
Among the just.
To live and die well,
Was hir whole indeavor;
And in assurance died
To live for ever.

If that all women wer but near so good as shee,
Then all men surely might in wives right happie bee.
Would any know, how virtus rare in hir did take;
I say no more; she was a CRISPE, born of a PAKE.

The boast at the end of the last line, that his wife's mother was a Pake, was better founded than such kind of boasts often are. She was Rebecca, the daughter of Mr. John Pake, of Broomfield, in Effex. I have some of her letters, after she was married, that mark a very good head and heart; and the following, when she was single, is worth preserving:

“ DEARE MOTHER,

My humble dutye remembred unto my father & you, &c. I received upon Weddensday last a letter from my father & you, whereby I understand, it is your pleasures, that I shoulde certifie you, what times I do take for my lute, and the rest of my exercises. I doe for the most part playe of my lute after supper, for then commonlie my lady heareth me; & in the morninges, after I am reddie, I play an hower; & my wrightinge & siferinge, after I have done my lute. For my drawinge, I take an hower in the afternowne; & my French at night before supper. My lady hath not bene well these tooe or three dayes: she telleth me, when she is well, that she will see if Hilliard will come and teche me; if she can by any means, she will. Good mother, I doe knowe, that my learninge hath bene a greate charge both to my father & you, and a great paine to myselfe. If I shoulde through a little sloth forget that which I have bestowed all my time to learne, and a greate dele of paines before I came to it, I were greatlye to be blamed for it. But I hope I shall have so good a care to kepe it, and so great a desier to increafe it, that it shall be pleasinge to my father & you, and every one else. As touchinge my newe corse in service, I hope I shall performe my dutye to my lady with all care and regard to please her, and to behave myselfe to everye one else as it shall become me. Mr. Harrifone was with me upon Fridaye; he heard me playe, and brought me a dussion of trebles; I had some of him when I came to London. Thus desiringe pardone for my rude

X

writinge,

writinge, I leave you to the Almightye, desiringe him to increase in you all health & happines.

Fridaye night,

1595.

Your obedient daughter,

REBECCA PAKE."

This letter ¹, written in a very beautiful hand, and directed "to my good mother Mrs. Pake, at Broumfield, deliver this," shews how much attention was paid both to the useful and ornamental accomplishments of this young woman. It was an age, when female education was much attended to. The queen herself was extremely accomplished ². The nobility, and persons of fortune, retained in their service many young people of both sexes, of good families, and bestowed upon them the fashionable education of the time: their houses were the best, if not the

¹ It was fastened in the old, and very effectual manner, with wax and ravelled silk; the latter, when the letter was to be opened, was cut with a knife or pair of scissars, while the former remained unbroken. To this custom of securing letters, Shakspeare alludes in his "Lover's Complaint;"

— — — Letters fadly penn'd in blood,
With sleided silk feat and affectedly
Enswath'd and seal'd to curious secrecy.

It was one of these letters, that Charles V. when crippled with the gout, found such difficulty in opening. Charles s'efforçoit d'ouvrir *la lettre* de Henri; mais comme elle étoit *enlacée avec de fils de soie*, ses doigts, couverts de nodus, et presque perclus, ne pouvoient les rompre. Histoire de France par M. Garnier, as quoted in "l'Esprit des Journaux," for April, 1782.

This fashion continued till at least late in the last century. For I have seen a letter from Christina, the abdicated queen of Sweden, to our Charles II. dated at Rome, in 1678, that was thus secured.

² Of this the duchess dowager of Portland is in possession of a very curious proof. It is a very small book, containing six prayers, all of considerable length; the first and last are in English, the second is in French, the third in Italian, the fourth in Latin, and the fifth in Greek. It is difficult to say, whether the piety or the good sense they contain be predominant. They exhibit a specimen of exquisite penmanship, which there is the best reason to believe was executed with her majesty's own hand; nor can there be much doubt of their being her own composition; for, exclusive of tradition, they have this internal evidence, that there is such a profound humility and self-abasement pervading the whole, as scarcely any of her subjects would have ventured to put into her mouth, even in the form of a prayer.

only

only seminaries of elegant learning. Such was the situation of the person who wrote the above letter; she was probably very young at that time; and was in the service of some lady of fashion, who admitted her as her companion in her vacant hours; allowed her to improve herself in what she had learnt; and was desirous of having her instructed by Mr. Hilliard, one of the best miniature painters of the age.

Mr. Cullum was one of the sheriffs of London in 1646; and in August 1647 was, with the lord mayor and several others, committed to the Tower for high treason, that is, for having been concerned in some commotions in the city, in favour of the king. He was never mayor; the ruling powers, I suppose, not thinking proper he should be trusted with that office. In 1656, as has been before said, he made his purchase in this place, to which he retired from the hurry of business and public life, being then near 70 years old. Immediately upon his purchase, he settled his estate on his only surviving sons Thomas and John, reserving to himself only a life interest in it. Very soon after the Restoration, he was created a baronet, his patent bearing date 18 June, 1660. This mark of royal favour, and his having been committed to the Tower for favouring the king's party, in 1647, might, one would have thought, have secured him from every apprehension of danger; but whether it were that he had temporized a little during some period of the Usurpation, or that money was to be squeezed from the opulent by every possible contrivance, he had a pardon under the great seal, dated 17 July, 1661, for all treasons and rebellions, with all their concomitant enormities, committed by him before the 29th of the preceding December. Some crimes were excepted from the general pardon, as burglaries, perjuries, forgeries, and several others; amongst which, shall we laugh or weep at finding

witchcraft? He died 6 April, 1664, and was buried in the chancel here.

Of his useful charities some account has been already given. A street in London still bears his name, and where he had considerable property, of which he just escaped seeing the destruction, by the fatal fire.

I have two portraits of him. In one, he is in his alderman's gown, which is scarlet, trimmed with fables; a large ruff, and close black cap, edged with white. In the other, he is in his sheriff's gown, which is black, the arms adorned with black and gold loops and buttons, just like the dress of the fellow-commoners at Cambridge; a broad falling band, a fashion peculiar to the time of the Usurpation; gold-fringed gloves; and the black cap as before. This was painted by Sir Peter Lely; and is scarcely inferior to the pencil of Vandyck. The impression of his gold ring seal is given in the plate, N^o 10. within is engraved the name of his friend, Ralph Ingram, with his own: this, I believe, was not an uncommon custom.

He was succeeded by his eldest son *Thomas Cullum*, who, about the year 1657, married Dudley¹, the second daughter of Sir Henry North of Mildenhall, in this county, Bart. In 1680, he and Mr. Rotherham were elected members of parliament for the burrough of Bury St. Edmund's by a majority of the Freemen: but the alderman returned Sir Thomas Hervey and Thomas Jermyn, esquire, who had been elected by a majority of the corporation. And the former petitioned the house in vain against the return; as, in 1713, Jermyn Davers and Gilbert Affleck, esqrs. did, in similar circumstances, against the honourable Carr Hervey and Aubrey Porter.

¹ Peregrine, her sister, was the mother of Sir Thomas Hanmer, the Speaker. Several of her letters are in my possession, and bespeak her a woman of a very cultivated understanding. From her the present Sir Charles Bunbury inherits a good estate in this county. See p. 70.



Of the Christmas hospitality exercised by Sir Thomas, I have several instances in the lists of the guests invited to *the Place* at that festive season. The company was divided into two parties; one invited a day or two after Christmas Day; the other on New Year's Day: a third party, who, I suppose, stayed at home, had each of them a peck of wheat, and a stone of beef. The whole number of all sorts was about 60: the women came with their husbands; but no children are mentioned.

Sir Thomas and his lady were more united in their deaths than in their lives; she dying in September, and he in October, 1680. They were both buried here.

Their portraits were painted by Sir Peter Lely, and in his best manner. His picture is remarkable for being almost entirely brown; his complexion, flowing peruke, drapery, and the ground, being little else than different shades of that colour: yet the whole produces a very good effect. She has a most pleasing countenance; her hair flowing in loose ringlets on her forehead and shoulders, with a very large single pendant in her ear. Her drapery is a sky blue. Both these portraits, as well as that before-mentioned, are in perfect preservation and freshness.

Some accounts of the overseers of the poor about this period are preserved in the church chest, and will appear scarcely credible to the present age.

From 26 May 1670, to 25 May 1671, they expended on the relief of the poor 3l. 18s. They gathered two rates, which amounted to 3l. 2s. 8d.

From 25 May 1671, to 11 May 1672, 4l. 7s. The word *collection* was then used, as it still continues to be, for money raised by rate, and bestowed on the poor. The old way of relieving the poor was by *collecting* or *gathering money* for them from the inhabitants, who gave as they were able, or inclined; a custom that still prevails in some parts of Wales, where the clergyman,

clergyman, on a Sunday, announces from his desk, the name and circumstances of the person who wants relief, and a *collection* is made in the congregation. This mode has its advantages.

From 10 May 1672, to 8 May 1674, (two years) 13l. 19s. 3d. This account was attested by the rector, as well as the overseers. The next year, 15l. 3s. 8d.; the next, 8l. 2s. 2d.; the next, 13l. 4s. 9d.; this account was delivered to the Justices; the next, 14l. 0s. 2d.; the next, only 4l. 16s.; the next, ending 28 April 1680, 10l. 15s. 8d.

The estate and title devolved on *Dudley Cullum*, the eldest son, who had been educated at Bury School, under that excellent grammarian Mr. Leedes. In 1675, he went to St. John's College, Cambridge, where the young men at that time, however frugal they might be in other respects, dressed as Beaux; for, in his tutor's bill for 1675, 7s. were charged for mending his sword; and the year following, 3s. for the same purpose. Yet this last year did his mother tell him by letter, that she could not agree that he should have a hanging for his chamber, without his father's consent, as it would be a considerable charge, and as all fellow-commoners had not their chambers hanged. Here, among other accomplishments, he amused himself with engraving, as appears by his college bills, and the following letter to him, which preserves the name of an artist, of whom I find no other mention, and who at least promised well:

“ SIR,

It was my mishap to be out of the way, when the bearer of your note came; and having perused it, I shall desire to offer the best of my services to you, and shall not doubt of performing my part, so as to give you a further satisfaction, than can probably be expected, in a few days, if you can spare but two or three hours in a day. If I should begin to-morrow morning, by Saturday night, I
question

question not, but you will be able to grave any thing better than you can draw or write. This from him who desires to be found,

Your painful servant

October the 9th, 1676.

to command, to my power,

EDWARD SMITH.

“ SIR,

I have always one half down, and the other when performed. The enclosed is graved upon copper and silver, by a boy that is but 14 years old, and but 3 or 4 days practice, Mr. Urlin's son the goldsmith. He never handled a graver before I began with him. I took it off from his graving with blacking.”

Towards the end of the next year, he seems to have meditated a journey to the Continent, a design which, I believe, was never executed. About the same time, he recovered from the small-pox; a circumstance, certainly not worth mentioning, except as affording an instance of the great dread which our ancestors had of that disorder; the recovery from which, though now, among persons of the better sort, an almost disregarded event, formed then a kind of era in a man's life. This is so strongly expressed in the following letter to him on this occasion, and which does so much credit to the master and the scholar, that I am tempted to transcribe it :

“ SIR,

I doe not doubt but you have a great many friends that rejoice with you at your recovery from the small-pox; and the request of this paper is, that I may be thought one of the number; not onely because I esteeme you, as I have reason, my very good friend, but also for the good signes you already give of being an honest and sober gentleman, such as may both support the honour of your family, and promote also the good of your country; and therefore no man that loves either could have been willing to have lost you. You are now past, Sir, one of the most dangerous and mischievous diseases that reigne in humane bodyes, and that usually set upon men, when they are furthest removed from their friends; and have flopt the returne of many a young gentleman beyond the seas, when his hopes and sayles have been spread homeward. And though the design you went out withall be, as I heare, layd aside, yet whensoever you shall resume the desire of seeing foreigne countryes, you may now passe the seas with a great deale more security to yourselfe,
and

and satisfaction to your friends. But before that, I heare there are some hopes of seeing you again in the country, when I hope you will favour with your company,

S I R,

Bury, December 20,
1677.

Your most affectionate servant,
EDW. LEEDES."

On the 8th of September, 1681, he married Anne, daughter of John lord Berkley of Stratton, at Berkley, now Devonshire, House. A few years afterwards, 1684, he had a dispute with his mother-in-law, Christian lady Berkley, about something more than 1000*l.* which he claimed in right of his wife. This dispute is only noticed, for the manner in which the affair was partly compromised: the parties agreed, that the money should be put into an iron chest, or strong box, and there locked up; and the said chest or box lodged in the chamber of Martin Folkes, esquire, in Graye's Inn, and the key delivered to Sir Dudley Cullum: the said money there to remain, until it should be determined by the judgement of the high court of chancery, or of some of his majesty's courts of Westminster, to whom the said money of right belonged.

For several years he resided chiefly at his seat here, being remarkably fond of his garden, into which he introduced most of the curious exotics that were then known in England. He speaks in particular, in 1694, of his orange trees, which were then much less common here than they are at present, as thriving in the most luxuriant manner. His green-house was 58 feet long, 14 wide, and 10 high. He corresponded with the philosophic gardener and planter Mr. Evelyn, who directed his botanical pursuits, and whose stove for the preservation of green-house plants he adopted. Of the success of this new invention he gave Mr. Evelyn an account in a letter, printed in the Philosophical Transactions¹, and at the end of Mr. Evelyn's

¹ Vol. XVIII. N^o 212.

works. The excellency of it consisted in admitting fresh air into the green-house in winter, and in managing that air in such a manner as to keep up the fire to any degree of heat: a contrivance, says Sir Dudley, "which has certainly more perfection than ever yet art was before master of;" and which had highly obliged him, and "all the lovers of this hortulane curiosity and recreation."

To one end of the green-house adjoined a building which was called *the Banqueting House*, the foundation of which was washed on two sides by the moat. The ground room (under which was a cellar), I remember, was a favourite station of the angler: over that was the festive apartment, about 14 feet square, with almost as much glass as a lanthorn, and commanding a most cheerful prospect. This, as well as the green-house, were built, I apprehend, soon after the year 1680.

The amusements of the country he ill exchanged for the expensive bustle of public life; standing, in 1702, with Samuel Barnardiston, esq; a contested election for the county, against the earl of Dyfart, and Sir Robert Davers, baronet. Lord Dyfart and he were returned; lord Dyfart having above 2200 votes; Sir Dudley Cullum above 2100; Sir Robert Davers above 2000; and Mr. Barnardiston about 1800¹.

He had just before lost his only brother *Thomas Cullum*, who died a bachelor, and for whom he had a great affection. He had been educated with his brother at Bury School; and in June, 1679, was admitted a fellow-commoner of Christ's College, Cambridge. He appears to have been a gentleman of lively parts, and the most amiable manners. I have several letters to

¹ It may be a matter of curiosity to mention, that there are two other polls for the county printed; one in 1710, when Sir Thomas Hanmer had 3433 votes; Sir Robert Davers 3233; and Sir Philip Parker, 2034. The other in 1727, when Sir Jermyn Davers had 3077; Sir William Barker 2963; and John Holt esq. 2365.

him from his accomplished aunt, Peregrine Hanmer, Mr. Hervey, afterwards the first earl of Bristol, and several others, full of the sprightliest fallies of wit, and of the most affectionate expressions of friendship. He was a great proficient in music; and a most passionate admirer of the fair sex, upon one of whom, a near relation of his friend Mr. Hervey's, he wrote volumes of prose and verse, which are perhaps some of the latest instances of those enthusiastic love rhapsodies which our ancestors so much admired. He was sometimes, however, a man of business; for, 15 Charles II. when the laity granted the king subsidies for carrying on the war against the Dutch, he was one of the Commissioners for the hundred of Thingo.

Sir Dudley, in about a year after the death of his lady in 1709, married Mrs. Anne Wicks; but died, without issue by either, in 1720; leaving his estate to *Jasper Cullum*, to whom the title, upon the extinction of the elder branch, descended. I have a good miniature in oil of Sir Dudley, past his prime, in a large wig, and long cravat.

The poors rates still continued extremely moderate: the village indeed was not so populous as it is at present; and the manerial house probably afforded some relief to the necessitous. But the lowness of the rates must not be attributed to these causes only: the *Paupertatis pudor et fuga* certainly operated at that time more forcibly upon the lower people, than at present. Scarcely any relief was afforded, except in sickness.

In 1681, the money expended for the poor amounted to 13l. 8s. 6d. some of the articles are:

	s.	d.
Layd out for woollen and bread for Edward Goodwin's burial	7	6
For a cheefe for the funeral	1	3
For beer at the funeral	2	6

So that there was an humble banquet, even at the interment of this poor man, who was buried at the expence of the parish.

In

In 1682, only 3l. 9s.; the next year, 1l. 17s. 11d.; the next, 1l. 17s. 3d. Some years are here wanting. In 1688, 7l. 7s. 6d; the next, 6l. 8s.; the next, 7l. 17s. 6d.; the next, 10l. 8s. 4d. The accounts are now very carelessly kept.

	s.	d.
25 Sept. 1625, laid out for Goody Nunn to the mountibanke for her eyes	25	0
11 Sept. 1697, laid out for 1 dozen of patches for the poor	—	3 6
Sept. 1700, carried the widow Smith one <i>jagg</i> of thorns	—	12 0
Disburshed from 7 Dec. 1706, to 21 April, 1707	—	— £. 13 4 7

Sir *Jasper Cullum* was son of John Cullum, of London, esq. the second son of the first baronet, by Anne daughter of Thomas Lawrence of Woodborough, Wilts. I have portraits of them both, well painted, in the reign of William. He is sitting in an elbow chair, in a loose gown, large wig, and a band like those worn by the clergy at present; so that that part of dress was even then continued by some old-fashioned people; and was not, as it is now, peculiar to a profession. She is also sitting; her head built up with one of those narrow lorty caps, peculiar to the latter end of the last century, and as preposterous as any of the modern ones, with infinitely less elegance; over this is a black transparent hood, tied under the chin, the ends of which, with those of the cap, hang down before, almost to the waist. Her countenance is as fresh as if just painted. Sir Jasper was high sheriff of the county in 1722, when Arundel Coke, esq. was executed for maiming and disfiguring Mr. Crispe of Bury. The unhappy convict, to avoid the crowd that was likely to attend such a spectacle, desired, if the sheriff thought there were no hopes of pardon, to suffer early in the morning. His request was complied with. And it should seem as if a rescue was apprehended; for, among the expences, there is the charge of two guineas for an extraordinary guard to attend the execution. Sir Jasper died in an advanced age in 1754; and was succeeded by his only son,

John Cullum, who received some part of his education from Dr. Defaguliers. He was afterwards of the Inner Temple, being designed for the practice of the law. He died in 1774, in his 75th year, which, it is something remarkable, was an earlier period than that reached by his three immediate ancestors. Of his marriages, issue, and character (as some others before-mentioned), something may be seen in the pedigree, and in his epitaph.

I have a most striking likeness of him, painted at the latter end of life, and in his usual simplicity of dress, by Mr. Dance: besides one of his second wife, by the excelling pencil of Angelica Kauffman, whose good taste chose to represent her in the dress she usually wore, as more becoming a person advanced in life, than any fancied drapery or ornaments. The same incomparable artist executed also the portrait of the compiler of this history, in his clerical habit, and with a book in his hand.

Sir John Cullum was succeeded by his eldest son of the same names, who is now rector and patron of the church, as well as lord of the manor.

The other principal proprietors are, Sir Thomas Rookwood Gage, baronet, whose maternal ancestors, the Rookwoods, had lands here, at least as early as the reign of Henry V. Joshua Grigby, and Christopher Metcalfe, esqrs. The latter resides here in a good mansion, which he almost rebuilt in 1783, of white brick, a most elegant and durable manufacture, for some years carried on at Woolpit, about ten miles off. He has called his seat *Hawsted Farm*, formerly *The Walnut Tree*.

It now remains to say something of the present state of this place: but the article of agriculture will include the chief that can be advanced on that subject. I shall therefore now throw together a few miscellaneous particulars.

OF THE POPULATION, AND THE POOR.

I have already taken notice of the populousness of this place, 14 Edward I. near 500 years ago; when, to judge from the number of messuages, it was probably not much inferior to that at present. At that period, almost all the land was under tillage. By degrees, as will be hereafter shewn, pasture-grounds, and those ill-cultivated, increased very considerably; this cause, with frequent wars, and two parks formed in the beginning of the 16th century, certainly contributed to depopulation.

I have no further lights to conduct me in this research till the year 1558, when the parish register begins. From this I have extracted the following five series of twenty years each, with the respective number of the baptisms and burials in each period.

Years.	Baptisms.	Burials.
1559 — 1578	113	66
1620 — 1642 ¹	124	104
1688 — 1707	153	119
1730 — 1749	187	111
1762 — 1781	243	158

If these records have been accurately kept (and I see no reason to suppose the contrary), the above statement will prove, that the number of the inhabitants of this village has been doubled in 200 years. However, I lay no stress upon the two first series, producing them only as matter of curiosity; but upon the third and last, which are of the greatest consequence, I can safely rely. From the character of the rector, during the first of those periods, and from his minuting down several little matters in the register, there can be no doubt of his exactness. For the last I can answer myself. By comparing these two together, it

¹ Three years in this series are wanting in the register.

appears that the baptisms in the last are to those in the first, nearly as five to three. With this proportion agrees the number of communicants, or of those above 16 years of age, at different periods. It is noted in the register, that in the year 1706, there were 174; in 1723, 175; and in 1783, when I last numbered the inhabitants, there were 261 above that age.

In the course of 13 years I have taken three numerations. In 1770, there were 346; in 1777, 386; in 1783, 415; so that in that period the inhabitants have increased 69, or one fifth of the first number; an increase as wonderful as it is indubitable.

The medium of the above three numerations is 382. The number of deaths for the last 14 years, from 1770 to 1783, is 119, which, upon an average, is rather more than 8 in a year; so that about 1 in 47 dies annually, which is about a mean proportion in country villages. Of the 119, 33 have died under 2 years of age; 13 above 70; 7 above 80; and 2 above 90. During the above period, 188 have been born; 89 males, and 99 females.

The number of houses in 1783 was 52, which is, as near as can be, 8 to a house¹; however, 12 of these are what are called double tenements, that is, divided into two parts for two families; and 3, treble tenements; adding therefore 18 to 52, we may call the whole number of houses 70; and then each, upon an

¹ And this is nearly the proportion in the contiguous parish of Horningheath; and I believe in many others in the neighbourhood. As a magistrate, I have frequent opportunities of knowing how the cottages of the poor swarm with inhabitants; and with what difficulty the overseers provide dwellings for those that belong to their parish. Nay, sometimes they are obliged, for want of room, to grant them certificates, empowering them to live elsewhere. So that allowing, that some cottages have been pulled down of late years, it was not, that they were uninhabited, but unprofitable estates; and those that remain are crammed with inmates to a degree, of which closet calculators have never dreamed.

average, will contain a family of 6 persons, which is a good complement.

Of the above 52 houses, with their divisions and subdivisions, only 35 were, in 1783, inserted in the duplicate of the parochial surveyors of the window-lights. Upon the sight of which, and allowing 6 persons to a house, a stranger would conclude, that this village did not contain many more than 200 inhabitants; so little dependance is there upon these documents.

In stating the increase of population in this place, I have no particular hypothesis to serve. I merely set down facts. Let abler political arithmeticians apply them in their full extent. Yet, from the above survey, I confess, I do not find myself sunk into such despondency, as to think that the nation is decreased a million and a half of Inhabitants within a century, and is now reduced to four millions and a half.

And here I cannot help expressing some surprise, though the population of the kingdom in general is of the greatest consequence to the state, and has exercised the pens of able calculators, who have differed from one another in a manner almost incredible, yet that government should still continue inactive in the dispute, which it might close with so much ease. If, for instance, in the year 1780, when the bishops received the king's commands to procure from the clergy a list of the Papists in their respective parishes, they had been also commanded to require the number of the inhabitants; these returns would have been as satisfactory as the former, and settled a point of the first importance in a short time, and with little difficulty. If there be good reason to suppose, that the more chearful and sanguine calculators are also the most accurate; why not ascertain a fact, that must make every friend to this country rejoice, and every enemy tremble? but if the more gloomy and desponding ones be right; why

why not make us acquainted with our consumptive condition, that we may try every remedy for our relief?

As to the increased population of this village, it is not difficult to account for it. It has taken place entirely among the labouring people; and that is owing to the farmers employing so many more hands than they formerly did: for a farmer that used to manage his farm with the help of a man and a boy, will now employ on the same farm double that number, or more: not that he disdains to labour with his own hands; but that he bestows upon his lands a cultivation double of what he formerly did. Now, the more servants he keeps, the more will gain settlements, marry, and contribute to stock the place with inhabitants. It is therefore an improved agriculture which has increased the population here; and must produce the same effect wherever it is practised.

As the increase of population has taken place among the labourers, we partly see the reason of the increase of the poor's rates, which have of late risen to a very serious height, though the *Guildhall* has been for some years converted into a work-house, where the poor are supported in a cheaper, as well as a much more comfortable manner, than they used to be in their own wretched and filthy cottages. For some years after 1724, the rates continued under 10*l.* a year; and never exceeded 30*l.* till 1735; from which period, by fluctuating advances, they reached 50*l.* for the first time in 1758; in 1767, they exceeded 100*l.*; in 1774, they rose to above 150*l.* from which time to the present they have, upon an average, stood at about that height.

In what degree this increase of the poor's rates ought to be attributed to the increase of the poor, is a nice matter to determine. Those who have not perhaps bestowed upon this point all the consideration it deserves, and who feel the weight of this heavy tax, say, that there is a relaxation of industry among the
lower

lower people, who are improvident for the future, depending upon parochial support, to which they have recourse frequently upon inadequate occasions ; and that this is the sole cause of the increased rates. There is doubtless some truth in this ; and it is further certain, that there is one spur to industry less than formerly, which is, that scruple and delicacy which the poor used to have in applying for relief : they now often demand assistance with a confidence unknown in former times, which the old poor do not assume, and of which they are ashamed in the younger ones. This behaviour is a feature in the character of the present age, which seems to aim at abolishing all subordination and dependance¹, and reducing all ranks as near to a level as possible. But such conduct cannot fail of being extremely mortifying and irritating to those who are supporting them by whom they are insulted, and who frequently work harder themselves than the very persons they relieve. But, after making every proper allowance of this sort, I cannot but be of opinion, that the increased number of the poor is a circumstance by no means to be omitted by those who are contemplating the increase of the rates that are to support them. If more than one hundred persons have, as I am confident is the case, been added to the poor of this village within the last thirty, perhaps twenty, years ; the common accidents and calamities attending such an increase must necessarily, without any other cause, have brought upon the parish a very great additional charge.

¹ Of this there was a very striking proof, while these sheets were in the press. Till now, there used to be a close connection between the landlord and the tenant ; the latter looking up to the former as his patron, and desirous of shewing him every mark of attachment and respect ; but in the contested election for the county, in April 1784, when several gentlemen canvassed their tenants, they found they had already engaged their first votes, and were even denied their second. How far this revolution of manners may be productive of national benefit, may, I think, justly admit of a doubt.

But if an improved agriculture has, in some measure, contributed to produce this evil; has it not also, it may be asked, brought with it, in some measure, an ability to support it?

I could not help throwing out these few loose hints on a subject so interesting to humanity; and which is certainly of such magnitude as to claim the serious attention of the legislature.

The common employment of the poor women and children within doors, is spinning yarn; by which the most industrious person has not of late years been able to earn 6d. a day.

SOME WORDS AND EXPRESSIONS USED IN THIS PLACE,
AND THE NEIGHBOURHOOD.

Affear'd; afraid. Saxon.

I a'nt avised of it. I am ignorant of it; cannot recollect it. *S'aviser*; French.

A Balk. A slip of grass, left by the plough, as a division, or boundary.

A Bargain. A parcel; an indefinite quantity. As, I have a good *bargain* of corn this year; a good *bargain* of lambs.

Battlings. The croppings of trees, larger than faggot sticks, yet less than timber.

Begone. Worn, decayed. As the thatch is lamentably *begone*. So Shakspeare, *woe begone*.

What a *blaring* you keep! says a mother to her crying child. Applied also to the noise of cows and sheep.

A Bumbay. A quagmire, from stagnating water, dung, &c. such as is often seen in farm-yards.

The *Buck* of a cart or waggon. The body.

A Bunny. A swelling from a blow.

To *cail* a stone, &c. to throw.

Chovee. A small beetle, of a bright chefnut colour, and with a green gilded head and corselet.

Coker'd. Unsound; applied to timber.

To *crack* or *crake of.* To boast of.

Ethiops of their sweet complexion *crack.* Shakspeare. *Love's Labour Lost.*

Two good haymakers

Worth twenty *crakers.* Tuffer.

A Dausy-headed fellow. Giddy, thoughtless.

Deathfimear. An undescribed disorder that carries off infants.

I am quite *dilver'd*, says a nurse worn out with watching and attendance. In Germany the nurses throw dill-water on the beds of sick persons, for whom they want to procure rest.

To *ding.* The same as *cail*.

A *Dooke* or *Doke*. A small hollow in a level board: so an imperfection in a school-boy's marble is called a doke.

I have such a pain in my head and ears that I am almost *dunt*; numb, stupified. Spoken also of a sheep, that goes moping from a disorder in the head. How you *dunt* me! says a mother, to her noisy child.

We are *in Election* to have a bad harvest this year.

Things are *in Election* to be very dear. Likely.

The bees are *elvisb* to-day; irritable, spiteful.

To *foy* or *sey* a pond or ditch. To clean, by throwing the mud out of it.

Such muddy deep ditches, and pits in the field,

That all a dry summer no water will yield;

By *feying*, and casting that mud upon heaps,

Commodities many the husbandman reaps. Tuffer.

Flags. The surface of heaths or commons, pared off, to lay garden walks, &c. with. So flags of stone for paving foot-paths.

Fog. Coarse grafs in meadows, which the cattle do not willingly eat, before it be frost-bitten.

Fond. Faint or fulsome; applied to smell or taste.

Every Foot anon. Every now and then.

Frawn. Frozen.

Such a field lies *Gain* for me; conveniently. I bought such a thing pretty *gain*; at a reasonable price.

Sand-Galls; spots of sand in a field where water oozes, or, as we say, spews up: and lands where such spots are frequent, are called *galty* lands.

Geer is a word of universal application; as doctor's *geer*, means apothecary's medicines.

Glum. Gloomy, sulky; spoken of a person.

Gofe. A stack or mow of corn. Tuffer, among the articles of husbandry furniture, mentions a *gofe* ladder. He uses also *gove* and *goving*:

In *goving* at Harvest, learn skilfully how

Each grain for to lay by itself on the mow;

Seed barley the purest *gove* out of the way,

All other nigh hand *gove* just as ye may.

He's all a *Gore of blood*. Blood runs plentifully from his wound.

A *Gotch*. A jug, or big-bellied mug.

A *Grey* parson. A layman, who hires the tithes of the parson.

A *Grip*. A shallow drain to carry water off the roads, ploughed fields, &c.

A *Hake*. A pot-iron.

Hinder he goes. Yonder.

Hockey. The merry-making of the reapers after harvest.

Hull. The husk of a nut; and shell of a pea.

Hulver. The Saxon word for Holly, commonly used.

A *Jag*. A parcel, or load of any thing, whether on a man's back, or in a carriage¹.

An *inder* (India), a great quantity. I have laid an *inder* of loads of gravel in my yard. He is worth an *inder* of money.

¹ See p. 163.

A *Job*. A piece work undertaken by a labourer, at a certain price, and which he finishes at his own time. He is then said to work by the *Job*.

A *Jounce*. A jolt, a shock, or shaking bout; so, a *jouncing* trot; hard, rough, that shakes the bones. Shakspeare has *jaunce* and *jauncing*, in the same sense. See Malone's Supplement, V. I. p. 266. How many words in Shakspeare might be explained in the farmer's kitchen!

Lamb Storms. So the shepherds call the storms that happen about the time that lambs fall.

Leasy weather; dull, wet, nasty.

A *Lift*. A gate without hinges. The two ends of it rest in mortises in the two posts, out of which it is occasionally *lifted*, as in harvest time, &c.

He's a *Limb* for mischief; much addicted to it. A *Limb* for apple pye; a devourer of it.

A *Link*. Some woods in this neighbourhood are so called; as *the Link*, at Rushbrook; Drirkston *Link*.

A *Loop* of pales, is as much as fills up the space between two posts.

Mauther. Girk. A word long peculiar to this county.

No sooner a sowing, but out, by and by,

With *mother* or boy, that alarum can cry. Tuffer.

A *Mort* of people, &c. a great number.

A *Mortal*, or *mortation*, quantity of any thing; very great.

Mummy, corrupted from *mamma*.

Nation. The same as mortal, and mortation.

To *Owe*, is used in the sense of, to own, possess. So Shakspeare:

What art thou, that keepst me out from the house I *owe*? Com. of Errors. A. III. S. I.

I am not worthy of the wealth I *owe*. All's Well that Ends Well. A. I. S. V.

Pack-rag Day. Michaelmas Day, when servants remove with their bundles.

Paved. Spoken of dirty clay roads, that are become dry and passable.

Planchers. The floor of a room, from the French. Drayton uses the word: and Shakspeare has *planched* gate, that is, made of boards.

A fore *Plot*. Spot or place.

Priming a tree, is pruning it.

Pulling-time. The evening at fairs; when the young fellows pull and haul the girls, to get them into alehouses.

Purely well; in good health.

I'm almost *quackled*; choaked, suffocated, as with smoak, or any strong vapour.

Od *rabbit* it. An oath; not of the angriest.

Raffle, or *raffling* pole; used to stir the fewel in an oven.

Rafty morning. Cold and damp.

Ranney. Shrew mouse. *Mus araneus*.

He spends every thing he can *rap and rend*; lay his hands on.

You shan't *run your rig upon me*; affront by a continuance of rude and insulting behaviour.

Rowens. The crop of grafs after mowing.

He

He begins *to sag*. To decline in his health.

Sales. Times or seasons. You don't mind being out all *sales* of the night.
Hay sale and *Bar sale*, is haymaking and barking-time.

A *Say*; a taste, chiefly a relishing one: as cattle, that have broken into a piece of corn, and can scarcely afterwards be kept out of it, are said to have gotten a *say* of it. Shakspeare uses this word in the sense of a sample, taste; in *King Lear*, A. V. S. III.

— — Thy tongue some *say* of breeding breathes.

See Mr. Steevens's note there.

Sear wood; dry, dead. Saxon. This word often occurs in Shakspeare. The wood-stealers always tell you they never take any but *sear* wood.

Shim. Scima, Saxon. Splendor. The white mark in a horse's forehead.

Sibberige. Banns of matrimony.

Silt. Sand and slime left on meadows by a flood.

Shruff. Light rubbishy wood, which hedgers, &c. claim as their perquisite.

Skep. A wicker basket, wider at top than at bottom, with two handles at top.
So also a *skep* of bees.

Slappy bread; not baked enough.

Slop. The underwood in a wood.

Slud, *Sludge*. Mud, mire.

Snafte. Snuff of a candle.

A *Sort*. A great many; as, a *sort* of people; used by Shakspeare, Spenser, &c.

Spalt. Brittle. Applied to timber.

Spit-deep. The depth of a spade. So *spitted*, for dug.

Spong. A narrow slip of land.

I was never so *stam'd* in my life; amazed, confounded. Spoken by a fellow who thought he had seen a person walking, who had been buried.

A *Stank*. A dam to stop water.

Stover; any food for cattle, except grain, which, I think, is never so called.

Turfy mountains, where live nibbling sheep,

And flat meads, thatch'd with *stover*, them to keep. *Tempest*, A. IV. S. I.

He has waited a good *Stound*. Some time.

To *Stry*; destroy, spoil. var. dial.

To *Swop*. To exchange.

He takes on sorely for him. Grieves very much.

A *Tidy* body. An active, cleanly person. A good recommendation of a servant.

A good *Tidy* crop of corn; good in a sufficient degree. Tuffer, who was a Suffolk farmer, uses it in the following passage, for, in good condition;

If weather be fair, and *tidy* thy grain,

Make speedily carriage for fear of a rain.

Tile-shard; a piece, or fragment of a tile. A very common word among bricklayers. So *potshard*, a piece of broken pot, occurs several times in scripture. Job took a *potshard* to scrape himself withall.

He lies by the wall; is dead. Spoken of a person between the time of his death and burial.

A *Wenel*. A calf weaned. Tuffer has the word oftner than once.

A *Whelm*.

A *Whelm*. Half a hollow tree, laid under a gate-way, for the water to run through. A bad substitute for a brick arch.

To *Windrow*, is, when grass has been cut, spread, and partly dried, to rake it into rows, and so make it hay, by exposing it thoroughly to the *wind* and sun.

A *Woodsprite*. A woodpecker.

Woundy. Very great. The same as mortal, mortation, and nation.

C H A P. IV.

OF THE VALUE AND CULTIVATION OF LAND, WITH SOME OTHER INCIDENTAL PARTICULARS.

AS this village exhibits no traces of any intrenchment or fortification, either British, Roman, or Danish; nor of any military road passing through it: as it could never boast of a castle, immortalized by its sieges, or the brilliant achievements of its possessors: as no tessellated pavement, military weapons, or pot of ancient coins, were ever discovered in it—its humble historian must be contented to record the revolutions in its culture, the employments of the farmer, and the labours of the horse and ox. Nor does he disdain this survey and delineation of rural life;

Hanc olim veteres vitam coluere Sabini,
Hanc Remus et frater; sic fortis Hetruria crevit
Scilicet, et rerum facta est pulcherrima Roma.

VIRG.

In the time of Edward the Confessor, and of the Conqueror, Hawsted, as we learn from Domesday, was worth 4l. a year, which is about a halfpeny an acre, according to real mensuration. It was then said to contain 13 carucates, or about 1300 acres of arable land; 16 acres of meadow; and wood for 3 porcaries. In this account, the pastures bear a prodigiously small proportion
to

to the arable land; but at that period, and long after, the cultivation of corn was the grand object of agriculture: for though some of the more powerful and wealthy men may have had their larders well stored with meat, and hecatombs of beasts were slaughtered for some of their banquets, yet bread must have constituted a much greater part of the general diet, than it does at present. Even the days of abstinence, at all periods before the Reformation, must have lessened the consumption of animal food, and increased that of vegetable.

I have in my possession a lease of the 13th century, which rates the value of land higher than I expected. The land lay not indeed in Hawsted, but in Nowton; but as that is a contiguous village, and the ground there of much the same nature as here, I think I may fairly make use of it; especially as its antiquity makes it also a curiosity.

Sciant presentes et futuri quod ego Bartholomeus filius - - - de sancto Edmundo concessi et dimisi Waltero Tighe *pro sex solidis* quos mihi dedit pre manibus, *duas acras terre* in villa de Neutun, scilicet de illa terra quam teneo de aula de Neutun, jacentes inter terras quas dimisi Roberto et Ricardo Glowcester, abutantes ad unum caput super terram Roberti de Neutun versus orientem, tenendas et habendas de me et heredibus meis eidem Waltero et heredibus vel suis assignatis a festo sancti Michaelis proxime post obitum Lodewici regis Francie usque *in terminum sex annorum sequentium*. Et ego et heredes mei waruntizabimus prefato Waltero et heredibus vel suis assignatis predictam terram usque in terminum predictum. Et si ita aliquo casu contingat quod ego Bartholomeus vel heredes mei non possimus waruntizare predictam terram predicto Waltero et heredibus vel suis assignatis, ego Bartholomeus vel heredes mei trademus predicto Waltero et heredibus suis sive assignatis tantam terram in alio loco ejusdem precii, scilicet de terra que mihi cecidit hereditarie de feodo patris mei in campis sancti Edmundi, tenendam et habendam predicto Waltero et heredibus suis vel suis assignatis usque ad predictum terminum. Ad finem vero sex annorum predictorum recipiam ego vel heredes mei predictam terram meam a predicto Waltero et suis, sine omni malo ingenio solutam et quietam. Hanc autem conventionem firmiter sine dolo tenendam pro nobis et pro heredibus nostris utrique affidavimus; et ad majorem securitatem sigilla nostra scriptis nostris hinc inde apposuimus. Hiis testibus Ricardo de Lagare, Nicholao filio Algari, Thoma Aurifabro, Johanne de sancto Albano, Henrico filio Stephani Aurifabri, Adam Hovel, Roberto de Neutun, et Waltero filio ejus, et aliis ¹.

¹ It may at first sight seem something strange, that many ancient deeds, of no great consequence, should be attested by so many witnesses. But it may be accounted for from their being executed at courts, and other public meetings.

Here are two acres of arable land let for 6 years, for 6s. which is 6d. an acre annual rent; indeed it should be estimated at rather more, as the whole sum was advanced at first. The lease is of the utmost simplicity, without any clauses about culture, &c. The landlord warrants the two acres to the tenant, or two others of equal value, and the tenant engages to give them up, at the expiration of the term, freely and peaceably, *sine omni malo ingenio*. They pledge themselves to each other for the due performance of the contract, and for the greater security set their seals, in the presence of eight persons who are named, besides others. The date from which the lease was to commence, is something remarkable. The custom of affixing dates to deeds was not become general in the reign of Henry III. and the present date, instead of being that of the reign of the English monarch, is that of the death of Louis the French king. This was probably Louis the IXth, afterwards canonized, who died 25 August, 1270, and whose fame for piety, particularly his passion for the crusades, which cost him his life, made his death an epoch. He had besides restored many of the English dominions in France, taken by his ancestors; and was brother-in-law to our Henry III.

It may not be amiss to remark, that this deed is indented; and that the indented edges are marked with the dimidiated letters of the word *CIROGRAPHUM*. Instances of such indentures before this reign are not very frequent¹.

The following deed is about the same time.

Sciant presentes et futuri quod ego Robertus de Beylham concessi, dedi, et hac presenti carta mea confirmavi Roberto filio Walteri de Meleford pro homagio et servicio suo et *pro duabus marcis argenti* quas mihi dedit in Gerfumam², *unam acram terre et dimidiam* cum suis pertinenciis in villa de Haufted. Quarum dimidia acra predictæ terre jacet juxta terram predicti Roberti ex una parte, et terram Willielmi de

¹ See Madox's Form. Ang. Dissertation, p. 28.

² This was the purchase money; not the earnest. The annual payment of a penny was to secure the purchaser from every kind of demand that could be made on the land.

Camera ex altera, cum omnibus sepibus et fossatis. Et una acra terre jacet juxta terram predicti Willielmi de Camera ex una parte, et terram Johannis filii Mauricii ex altera. Salvo tamen dicto Roberto de Beylham tota pastura jacente ad capud predictæ acre terre sue abeat in predicta terra tota magis aut minus, tenendum et abendum de me et heredibus meis predicto Roberto filio Walteri et heredibus suis vel assignatis suis, cuicumque, quibus, quando, ubicumque dare vendere vel assignare voluerint, libere, quiete, bene in pace, in feodo et hereditate perpetua, *reddendo inde annuatim* mihi vel heredibus meis, *unum denarium*, videlicet ad pascham, pro omnibus serviciis, consuetudinibus, exactionibus, cujuscumque sectis curie, regis preceptis, et omnibus secularibus demandis. Et ego predictus Robertus de Beylham, et heredes mei warrantizabimus, acquietabimus et in omnibus defendemus totam predictam terram cum sepibus et fossatis predicto Roberto filio Walteri et heredibus suis vel assignatis suis per predictum servitium, *contra omnes homines et feminas* ¹, in perpetuum. Et ut mea concessio, donatio, carte mee confirmatio rata permaneat et stabilis, huic scripto sigillum meum apposui. Hiis testibus, Ricardo de Saxham, Roberto de Ros, Alexandro de Exninge, Semanno de Osmundesfelde, Alano de Broch, Alana Messore, Henrico filio suo, Wydone Maymund, Nicolao le Cupere.

The next is a few years after the two last, when deeds were generally dated. As it differs in many respects from the first of those two, and as leases of such early times are not very common, I shall transcribe it.

Hec est conventio facta inter Philippum Nuel ex una parte, et Henricum filium Nicholai de sancto Edmundo et Ricardum filium ejus ex altera parte; ita videlicet quod predictus Philippus concessit et dimisit predictis Henrico et Ricardo, ad totam vitam eorum, omnes terras et tenementa sua in Hausted et Neuton, pro decem Marcis argenti annuatim eidem Philippo et heredibus aut assignatis suis vel eorum heredibus, die sancti Michaelis in fine cujuslibet anni solvendis, aut suo certo atornato, scriptum de dimissione predictæ terre inter eos factum deferenti, una cum litera aquietancie ejusdem termini, sigillo predicti Philippi vel heredum aut assignatorum suorum, si de eo humanitus contingat, signata, bene et fideliter, et sine ulteriori dilacione in ecclesia conventuali sancti Edmundi coram altari sancti Nicolai. Tali tenore adjuncto, quod si contingat predictos Henricum vel Ricardum in solutione predictæ pecunie, termino statuto, in parte vel in toto deficere, cum super hoc fuerint requisiti; predictus Henricus et Ricardus volunt et concedunt quod predictus Philippus, &c. possit omnia tenementa in scripto contenta cum omnibus suis pertinenciis ingredi et seysire, et ea bene et pacifice recipere sibi et heredibus vel assignatis suis in perpetuum, scripto dimissionis inter eos confecto non obstante, sine aliquo clameo predictorum Henrici et Ricardi, seu alicujus nomine suo. Et post

¹ Mr. Barrington observes, that perhaps the first instance in the Statute Book of an apprehension, that a *woman* is not included in the word *man*, occurs in Edward III. Observations on the more Ancient Statutes, p. 243. An earlier instance of such an apprehension appears in the present deed.

decessum predictorum Henrici et Ricardi omnia predicta tenementa cum pertinenciis predicto Philippo, &c. solute et quiete revertantur. Et si predictus Henricus et Ricardus in fata discedant ante terminum solutionis ultimi anni, quod absit, idem Henricus et Ricardus volunt et concedunt pro se et heredibus et executoribus suis, quod heredes vel executores eorum teneantur ad solutionem ultime ferme facte de fructibus de predictis terris et tenementis provenientibus; dummodo quod heredes et executores predictorum Henrici vel Ricardi habeant et teneant omnia tenementa predicta cum omnibus suis pertinenciis usque ad finem termini predicti. Et Henricus et Ricardus concedunt sub pena et districtione predicta, quod in predictis terris boscis domibus nec gardinis facient neque fieri permittent vastum venditionem nec destructionem, nisi tantummodo ad Husbote ¹ et Heybote ². Hoc adjecto, quod si contingat quod dominus rex Anglie ab eisdem Henrico et Ricardo simul cum aliis libere tenentibus in partibus illis demanda et talliagia exigat, quod absit, tunc predictus Philippus ab eisdem demandis eos ——— cabit. In cujus rei testimonium alter alterius scripto ad modum cyrograffi ³ confecto sigilla sua alternatim apposuerunt. Hiis testibus, Waltero Freyfell, Willielmo de Cramavile, Roberto de Ros, Semanno de Osmundisfelde, Roberto de Weylham, Galfrido Osborn, Nicholao Aldred, Adam de Saxham, Henrico filio Willielmi et aliis. Datum apud sanctum Edmundum Die Lune proxime post festum sancti Mar i Evangeliste, anno regni regis Edwardi filii regis Henrici decimo, finiente jam anno.

The seals of green wax are both preserved; one of them is I believe an antique, with two human figures, one turning from the other, an oval, circumscribed, “Sigillum Henrici fil. Nicholai:” the other bears a lion rampant gardant, a circle, circumscribed, “Je suys fel de a Nuell”—it belonged, I suppose, to one of his ancestors.

At the same time, by another deed, Nuell let to the same persons for their joint lives, for 30 marcs of silver paid in hand, and for 10 marcs annual rent, his whole messuage in Hausted, with all the lands, woods, meadows, pastures, rents, ways, paths,

¹ Wood for firing.

² Wood for repairing the hedges. *Bote*, or *Boot*, means profit, advantage.

³ An instrument of conveyance attested by witnesses was, in the Saxon times, called *Chirographum*, and by the Normans, *Charta*. To prevent frauds, they made their deeds of mutual covenant in a part and counterpart, upon the same piece of parchment, and in the middle between the two copies drew the capital letters of the alphabet, or sometimes the word *SYNGRAPHUS*, and then cut asunder, in an indented manner, the said piece, which, being delivered to the two parties concerned, were proved authentic by matching with one another. When this prudent custom had for some time prevailed, the word *Chirographum* was appropriated to such bipartite writings. Kennett's Glossary. The present deed is thus indented; and its indented edge marked with large and small dimidiated letters, taken I believe at random. From the shortness of ancient deeds, and the abbreviated manner in which they were written, several pairs might be cut out of the same skin of parchment.

hedges,

hedges, with all the other tenements in Hauftede and Neuton¹ that in any manner belonged to it.

The parchment of these deeds is of extreme thinness; and the writing still retains its original blackness.

14 Edward I. as we have already seen, Thomas Fitz Eustace, the chief lord of the village, held in his own hands 240 acres of arable land, 10 of meadow, and 10 of wood. William Talemache, the next person in consequence to him, held 280 acres of arable land, 12 of meadow, and 24 of wood. Philip Noel, another principal proprietor, held 120 acres of arable land, 4 of meadow, and 7 of wood. Robert de Ros held 56 acres of arable land, 3 of meadow, and 5 of wood. Walter de Stanton held 80 acres of arable land, 3 of meadow and pasture, and 1 of wood. William de Cramaville held 140 acres of arable land, 6 of meadow, and 8 of wood. John Beylham held 52 acres of arable land, 2 of meadow, and 3 of wood. And several smaller tenants are not said to have any meadows or pastures.

From these instances it appears, that almost the whole attention of the farmer was bestowed on his plough. For these seven persons occupied among them, 968 acres of arable land, and only 40 of meadow, just 24 to 1; not that it is to be supposed, that the smaller tenants had no pasture; or that the larger proprietors had among them all no more than 40 acres of land, for the feed of their cattle. Meadow ground was properly what was reserved for mowing: it was called, *pratum falcabile*. The borders of their arable lands were broad, and though abounding with trees and bushes, supplied doubtless a considerable quantity of grass. However, one acre of hay-ground to twenty-four of arable, was a very small proportion, and bespeaks a strong preference to tillage. I wish, the record whence the above notes are taken, had recited the number of cows and sheep belonging to each landholder.

¹ Neuton or Nuton was afterwards spelled Nowton, as Nuell became Nowell.

Though their annual payments are all set down; yet nothing can with certainty be collected, with respect to the value of their lands, for they paid from almost 7 d. to less than a farthing an acre a year. Some of those who paid the very low rents, probably performed some service in husbandry for their landlord, in lieu of money; and some of the small sums were perhaps of the nature of quit-rents. However, we may not probably be far from the truth, if we lay their lands in general at 4d. an acre.

In the year 1281, the prices of various kinds of grain, the produce of this village, were as follows: Of wheat, about the Conversion of St. Paul (25 January) from 4s. 3d. to 4s. 5d. a quarter; in Lent, 4s. 6d. afterwards, 4s. 8d.; of filigo¹, from 2s. 8d. to 2s. 10d.; of barley, 3s. 6½d.; of new pease, from 2s. 9¼d. to 2s. 11½d.; of old pease, 2s. 4½d.; of draget², 2s. 5d.; of oats, from 2s. 2d. to 2s. 4d.

This was a year of moderate plenty, and therefore may be considered as the standard of the prices of grain, about this period; for in turning over the Chron. Pret. I find, that at different times, from 1246 to 1270, wheat sold at what were

¹ *Siligo* was a kind of light and white wheat. Pliny says of it, *filiginem proprie dixerim tritici delicias; candor est, sine virtute, et sine pondere, conveniens humidis tractibus — e filigine lautissimus panis*. Vulgo blé blanc, says his commentator. Googe, in his Husbandry, printed in 1577, in his account of the different kinds of wheat, says, *Robus* is the fairest and weightiest; *Siligo* is used in the finest cheate; *Trimestre* is ripe in three months. *Siligo*, says Littleton in his Dictionary, is a fine wheat, of which they make manchet. The Chron. Pret. in the year 1387 (where the author says, he knows not what it is) makes it 1s. a quarter, when wheat was 2s. In a compotus of the year 1405 (supplied me by a friend) it was 4s. a quarter, when wheat was 5s. 4d. which I apprehend was a very great price for it.

² Draget is oats and barley mixed together. It occurs in the will of lady Clare, who died in 1360. See Royal Wills. Tuffer, who farmed in this county about the middle of the sixteenth century, calls it dredge.

Thy dredge and thy barley go thresh out to malt.—
Sow barley and dredge with a plentiful hand.

then all esteemed the enormous rates of 13s. 4d.; 16s.; 4l. 16s. and even 6l. 8s. a quarter, if the author may be credited, who says at the same time, that provisions were so scarce, that parents ate their children. In 1243, it sold at 2s. a quarter; in 1286, at 2s. 8d.; in 1288, it sunk to 1s. and in the north and west parts, even to 8d. Supposing then 4s. 6d. to be about the mean price of a quarter of wheat, and 4d. a year's rent of an acre of land, the disproportion between the produce of the land and its rent is almost incredible; for, if (as I suspect) an acre produced, in general, only $1\frac{1}{2}$ quarter¹, it would, if the ground was cropped only two years together, give the husbandman 13 times the rent of his land one year with another; a profit, which the best farmers, in the present state of improved agriculture, can rarely, I believe, reach. That lands should be thus rated, can only be attributed to the frequent and almost entire failures of their crops, unknown in modern times, in well cultivated countries; and which must have been owing to an ill managed husbandry, that sunk entirely under an unfavourable season. At one time we are told, the ground was so hard that it could not be tilled; at another, that the rain and hail destroyed the crops; the consequence was, not only a scarcity, but often a famine. Even so late as the reign of queen Mary, Bullein tells us, that "bread was so skant, insomuch that the plain poor" people did make very much of acorns; and a sickness of a

¹ The learned author of *Fleta*, who wrote about this period, and who, in his *Treatise of Law*, has not disdained inserting several particulars relative to rural economy, informs us, that if an acre of wheat yield only three times the seed sown, the farmer will be a loser, unless corn should sell dear. His calculation is this: three ploughings 1s 6d.; harrowing 1d.; two bushels of seed 1s.; weeding one halfpenny; reaping 1d.; carrying 1d.; in all 3s. 1½d. which is 1½d. more than the value of 6 bushels. l. 11. c. 82. Nothing is said of the rent of the land, expence of manuring, &c. This account would have been more curious, had the author informed us, what was then esteemed a fair average crop. I have supposed it double.

“ strong fever did fore molest the commons.” Bulwark of Defence, fol. 30.

Not that we are to imagine, that good husbandry was not now known; for some writers, even before this period, have shewn the contrary; but to know and to practise are very different things. Are there not invincible prejudices, even in this enlightened age, with which agriculture has to contend? In how many parts of this island do turneps still remain unhoed?

The same year, 1281, the price of a bullock was 8s. 6d.; of a hog 2s. 6d.; of a pig 6d.; of threshing a quarter of wheat 3d.; of filgo 2 $\frac{1}{2}$ d.; of barley 1 $\frac{1}{2}$ d.; of pease 2d.; of draget 1d.; of oats 1d.; a man's wages for cutting fire-wood for two days was 4d. which seems great pay. A carter was allowed for his Easter-day's repast, 1d. Another had four bushels of filgo for six weeks work of various kinds; and a girl for winnowing corn, and keeping the young heifers, geese and poultry, of the manor, for fourteen weeks, 1 quarter of the same grain. A servant, called a Daye¹, had 12d. for the same employment, from Michaelmas to Easter.

In 1359, the lord of the principal manor held in his own hands 572 acres of arable land, estimated from 4d. to 8d. an acre; and eight pieces of meadow, or mowing-ground, valued

¹ He occurs sometimes as an attendant upon the carter. Sometimes it should seem, as if he belonged to the dairy, by having calves to sell. He was certainly of the lowest class of servants, as he is always placed the last in the list, and with small wages; probably, what we should now call a day-labourer, a person employed about any work. He occurs in the statutes of 25 and 37 Edward III. in the latter of which, the old English translation calls him a *Deyar*. Chaucer, whom no cotemporary character could escape, thus alludes to his frugal fare, where in the Nonne's Preefe's Tale he is describing a poor widow:

No win ne drank she, neither white ne red;
Hire bord was served most with white and black,
Milk and brown bred, in which she found no lack;
Seinde bacon, and sometime an ey or twey;
For she was as it were a maner *Dey*. — i. e. a kind of Dey.

at 202s. 4d. a year; the quantity of which was probably about 50 acres. For though the larger parcels are each valued in the gross at so many shillings a year, yet the quantities of three of the smaller are specified; one piece of 3 acres was valued at 10s. a year; one of 1 acre at 5s.; and another of 1 acre at 4s. Taking therefore the mean price of 4s. the 202s. 4d. was probably the annual value of about 50 acres. He had besides, *in Circuitu Broci*¹, pasture for 24 cows, worth 36s.; as also for 12 horses, and as many oxen, worth 48s. a year. He held also 40 acres of wood, valued at 1s. an acre; and the croppings of the trees and hedges about his fields, at 6s. 8d. a year.

Though, from the increased quantity of grass-grounds, the consumption of flesh-meat was probably increased; yet the poor land-holders, who were obliged by their tenures to work for the lord so many days in hay-time and harvest, had, at this time, no other allowance of animal food than two herrings a day each, and some milk from the manor dairy to make them cheese; they had besides each man a loaf, of which 15 made a bushel, and an allowance of drink, not specified. Of these there were eleven, who were to perform, amongst them, 42 days work in hay-time, and 60 in harvest.

The great inferiority of arable land to meadow, in point of value, in about the proportion of one to eight, may be accounted for from the small quantity of the latter, at a time when hay was so great a part of the support of the live stock in winter. Why there was so small a quantity of it, may not be so easy to say.

In 1386, the produce of the farm, which the lady of the manor held in her own hands, was, according to the bailiff's ac-

¹ *Brocus* is a brook, or a small stream. In a survey of this manor in 1581, we have, *Brocum* five Fossatum, and *Torrentem* five *Brocum*. The demesnes were watered with a rivulet, the shrubby banks of which afforded a considerable quantity of pasture.

count (which was always from Michaelmas to Michaelmas) 69 quarters, $5\frac{1}{2}$ bushels of wheat; 54 quarters, 4 bushels of barley; 11 quarters, 7 bushels of pease; 29 quarters of haras¹; and 65 quarters, 4 bushel of oats.

Oat-meal was part of the food of servants. This year, 12 bushels were used for the broth of seven. Tuffer, a Suffolk farmer, tells us;

Though never so much a good huswife doth care,
That such as do labour have husbandly fare;
Yet feed them, and cram them, till purse doth lack chinke,
No spoon meat, no belly full, labourers thinke.

This is not the case now. Pork and bacon are the Suffolk labourer's delicacies; and bread and cheese his ordinary diet.

In 1387, 66 acres were sown with wheat, allowing 2 bushels to an acre; 26 acres with barley, allowing 4 bushels to an acre; 25 acres with pease; 25 acres with haras; 62 acres with oats, allowing $2\frac{1}{2}$ bushels of each to an acre.

The stock was 4 cart horses (*equi carectarii*), 6 stone horses (*stotti*), 10 oxen², 1 bull, 26 cows, 6 heifers, 6 calves, 92 muttons,

¹ What particular grain this was, I cannot say; but its name implies, that it was a horse-corn, from *Haracium* (Lat.) and *Haras* (Fr.) which signify a stud of horses: and the accounts before me shew, that horses were served with it, both threshed and in sheaves: and one year the sheep, in winter, had 120 sheaves of it, 12 of which made a bushel. It was threshed at the same price as pease and oats, which was 2d. a quarter, while wheat was threshed at 4d.

² By all the accounts I have, it appears, that the number of horses and oxen kept for labour were equal. The latter were also fed with oats, and shod in frosty weather. It cannot be unpleasing to those who are interested in this subject, to hear what the old author of *Fleta* says about it. A plough of oxen (*caruca boum*, a pair I suppose) with two horses, will do as much as if they were all horses. A plough of oxen will go forward in heavy land, where one of horses would stop. A horse kept for labour ought to have every night the sixth part of a bushel of oats; for an ox $3\frac{1}{2}$ measures of oats, 10 of which make a bushel, are sufficient for a week. L. II. c. 73. It is of service to oxen, to be rubbed twice a day with a whisp of straw, as by those means they will take more pleasure in licking themselves—*eo quod*

muttons, 10 score of hogerells (sheep of the 2d year), 1 gander, 4 geese (*auc. marol.* ¹) 30 capons ², 1 cock, 26 hens.

The quantity of arable land in tillage, this year, appears from the above account, to have been 214 acres. The whole, therefore, supposing one-third lay fallow, was 321; a great decrease from 572, which was the arable part of the demesnes in 1359. The dairy is rather increased; and a flock of near 300 sheep is now mentioned. There was nothing said of a flock before, though doubtless there was one; but if it had been of the consequence of that at present, it would hardly have been passed over in silence. Of the meadows or pasture grounds, no particulars occur; yet it may be concluded, they had continued to increase, from the dairy and flock increasing, while the arable land decreased. There were also let this year, the pasture, and the herbage of pasture, of several pieces, the sizes of which are not specified.

quod affectius se lambebunt, c. 76. where more of their utility may be seen. Harison, in his Description of Britain, prefixed to Holinshed's Chronicle, mentions an odd practice, in his time, with respect to this animal. "When they are young," says he, "many graziers will oftentimes annoynt their budding hornes, or types of hornes, with hony, which mollyfieth the naturall hardenesse of that substance, and thereby maketh it growe into a notable greatness. Certes, it is not straunge in England to see oxen, whose hornes have the length of three foot between the types." p. 220. These large horns must have been often inconvenient in husbandry; but horn was a most useful article in various manufactures, particularly that of drinking cups, of which those of the largest size have ever been most esteemed.

¹ *Auc. marol.* must mean geese, as distinguished from ganders. In 1387, there is an allowance of oats expended *super aucis marol.* In 1389, it is expressed, *super aucis pond.* The last word perhaps from the French, *pondre*, to lay an egg. The word is not in the Glossaries.

² The custom of making capons is said to have been introduced among us by the Romans.

Capo.

Ne nimis exhausto macresceret inguine gallus,
Amisit testes.

Martial, L. xiii. Ep. 63.

It is remarkable, that the art of preparing this article of luxury should be entirely lost in this neighbourhood; a capon never appearing in Bury market.

B b

The

The dairy of 26 cows was let for 8l. a year, *ad plenam firmam*; the lactage of a cow, with its calf, and a hen, being rated at 6s. 8d. ¹, and two cows thrown into the bargain (*pret. ij vacc. in avantag.*) Wheat was sold for 4s. a quarter; oats for 2s. two stone horses (I suppose entirely worn out), for 5s.; a cart horse for 21s.; a cow for 4s.; an ox for 13s. 6d.; a boar for 1s. 8d.; a capon for 4d.

A cart-horse ² was bought for 30s.; 30 fowls to be made capons, for 2s. 3d.; a goose (*auc. marol.*) for 6d.; a hen for 2d. Wheat was threshed for 4d. a quarter, and other grain for 2d. A reaper had 4d. a day. 1s. 11d. was paid for cutting and tying up 3 acres of wheat, *per taskam*; and 3s. 4d. for cutting and tying up 6 acres of bolymong; a pair of cart wheels cost 6s.

In 1388, the produce of the farm was 69 quarters, 2 bushels of wheat; 52 quarters, 2 bushels of barley; 23 quarters, 3 bushels of pease; 28 quarters of haras; 40 quarters, 4 bushels of oats.

¹ This was also the rent of the lactage of a cow, with its calf, in 1388, in the adjoining village of Horningstheath: when also the lactage of 91 sheep was let at 1 ¹/₂ d each. It is much that no mention is made of this latter kind of lactage, in this village. It was an object in rural economy, at least as late as the time of Tusser, who gives several directions about it; and Harrison says, that "ewes milk, added to that of kine, makes cheese that abides longer moist, and eats more brickle and mellow."

² Though in these accounts *cart horses* and *stallions* appear to be distinguished, yet we learn from Harrison, that in the reign of Elizabeth, horses kept for draught or burden were stoned, and geldings appropriated to the saddle. "Our land," says he, "dooth yeeld no assies, and therefore we want the generation also of mules and somers; and therefore the most part of our carriage is made by these, which remaining stoned, are either reserved for the cart, or appointed to beare such burdens as are convenient for them. Our cart or plough-horses (for we use them indifferentlie) are commonlie so strong, that five or six of them will draw three thousand weight of the greatest tale, with ease, for a long journie, although it be not a load of common usage, which consisteth onelie of two thousand. Such as are kept also for burden will carie four hundred weight commonlie, without anie hurt or hindrance." p. 220.

Very few stone horses are now kept in the county, except for propagation,

In

In 1389, 57 acres were sown with wheat; 24 acres with barley; 22 acres with pease; 38 acres with haras; $54\frac{1}{2}$ acres with oats.

Wheat sold for 4s. and 5s. a quarter; barley for 3s.; oats for 2s. An old stallion grown useless (*quod inutilis pro stauro*) for 12s.; a cow for 3s. 8d.; another for 4s. 6d.; a pig or porker (*porcellus*) for 1s. 4d.; a capon for 4d.; a cart-load of hay for 5s.; a cow's hide for 1s. 8d.

A horse's hide tawed¹ (*dealbatum*) was bought for 1s.; bulmong² for 2s. a quarter; a stone-horse for 15s.; a calf for 1s. Wheat was threshed for 4d. a quarter; barley, pease, and haras, for 2d. 44 hogs, or hoggerels (for they are called both) were gelt for 1s. 8d. 60 persons, hired for one day to weed the corn, had 2d. each. Meadow ground was mown for 6d. an acre; malt made for 6d. a quarter; and 6 yards of canevas for table-cloths, cost 12d.

In 1390, the produce of the farm was 42 quarters 1 bushel of wheat, from 57 acres, which is less than 6 bushels an acre; 38 quarters 2 bushels of barley from 24 acres, which is better than 12 bushels an acre; 34 quarters, $2\frac{1}{2}$ bushels of pease, from 22 acres, which is better than 12 bushels an acre; the quantity of haras is obliterated; 33 quarters 2 bushels of oats, from $54\frac{1}{2}$ acres, which is about 5 bushels an acre.

Either of the two first mentioned crops, of 1386, and 1388, would ruin a modern farmer. For in three nearly successive years there were 183 acres sown with wheat; we may therefore conclude, that the annual number was about 61. Yet in neither of the best years did the quantity of wheat reach 70

¹ *Tawed* is dressed white, with alum. *Tawers of leather* are mentioned among the artificers in a statute of 23 Edward III.

² *Bulmong*, or *Bolymong*, a word still familiar to us, means pease and oats sown together.

quarters. However, no particular dearth of corn followed; so that, probably, those very scanty crops were the usual and ordinary effects of the imperfect husbandry then practised. And this too, as being the manor farm, was likely to be at least as well cultivated as any in the village. But the produce of the present year bears a more melancholy aspect. Less than 6 bushels of wheat from an acre is not only a crop, by which a tolerably managed farm is now rarely or never disgraced, in the most unfavourable season; but it even then produced a great scarcity; for wheat rose from 4s. and 5s. a quarter, to 13s. 4d.; barley from 3s. to 5s. 6d.; oats from 2s. to 6s. 8d.; pease were sold at 8s. a quarter; and of wheat there were sold only 3 quarters, whereas in one of the former years there were 18; in the other 24.

An ox was sold for 12s.; 5 acres of wheat stubble for 1s. 6d.; a cow's hide for 1s. 2d.; the pease of the garden for 6s.

A cow, with her calf, was bought for 10s.; another for 6s.; a third for 7s. 3d.; two cows before calving, for 15s. 1d.; a boar for 2s. 7d.; and 6 calves, the property of the daye, for 6s. 3s. 4d. was paid for the exchange of barley for feed.

A carpenter's wages was 4d. a day. A man hired for $3\frac{1}{2}$ days to fill the dung-cart, had 10d.; a serjeant's ¹ (*servient*) wages were 13s. 4d. a year; a carter's 10s.; a ploughman's (*tentoris caruce*) 10s.; a plough-driver's ² (*fugatoris caruce*) 6s. 8d.; a shepherd's 10s. 4d.; a daye's 5s.; and three men had 1s. 6d. for going to Sudbury (16 miles off) to fetch tiles for the friars at Babwell near Bury.

¹ *Serviens de manerio*. A steward who is employed by the lord to occupy some particular grounds, and to account for the yearly profits of them. Kennett's Gloss.

² It is his business to yoke the oxen equally, and drive them without either striking, goading, or over-pressing them. He should be neither melancholy nor passionate, but lively, and full of singing, cheering with his tunes the labouring cattle. He should feed, and be fond of them, sleep with them every night, scratch, curry, and wipe them (*prurire, striliare, torcare*.) Fleta, L. II. c. 78.

Sixty acres were sown with wheat, $2\frac{1}{2}$ bushels to an acre; 32 acres with barley; 31 acres with pease; 23 acres with haras, 3 bushels to an acre; 48 acres with oats.

In a life of husbandry, the harvest is ever an affair of the greatest consequence. I have therefore thrown together two years transactions of that season, that we may form the better idea how that important business was conducted.

The outgoings on that occasion were called the costs of autumn (*custus autumnales*), and are thus stated.

In 1388, the expences of a ploughman, head reaper, baker, cook, brewer, deye, $244\frac{1}{2}$ reapers¹, hired for one day, 30 bedrepes² (*precar*) the men fed, according to custom, with bread and herring. 3 quarters 3 bushels of wheat from the stock; 5 quarters 3 bushels of malt from the stock; meat bought, 10s. 10d.; 5 sheep from the stock; fish and herrings bought, 5s.; herrings bought for the customary tenants, 7d.; cheese, milk, and butter, bought³, 9s. 6d.; salt 3d.; candles 5d.; pepper 3d.; spoons, dishes, and faucets, 5d.

30 bedrepes, as before; 19 reapers, hired for one day, at their own board, 4d. each; 80 men, for one day, and kept at the lady's board, 4d. each; $140\frac{1}{2}$ men hired for one day, at 3d. each: the wages of the head-reaper 6s. 8d.; of the brewer 3s. 4d.; of the cook 3s. 4d. 30 acres of oats tied up, *by the job* as we now call it (*per taskam*), 1s. 8d.; 6 acres of bolymong cut, and tied up, by the job, 3s. 4d.; 16 acres of pease, cut by the job, 8s.; 5 acres of pease and bolymong cut, and tied up, by the job, 2s. 6d.; 3 acres of wheat cut, and tied up, by the job, 1s. 11d.

¹ The meaning of this, I suppose, is, that one of the men was employed only half a day.

² *Bedrepes* were days of work performed in harvest-time by the customary tenants, at the *bidding* or requisition of their lords.

³ The dairy was let; which was the reason that these articles were bought.

In 1389, the expences of a carter, ploughman, head-reaper, cook, baker, brewer, shepherd, deye, 221 reapers hired for one day, 44 pitchers ¹, stackers, and reapers (*pitchbar. tassator. metent.*) for one day, 22 reapers, hired for one day, for good will (*de amore*), 20 customary tenants; 2 quarters 6 bushels of wheat from the stock; beer 8d.; 5 quarters 1 bushel of malt, 18s. 9 $\frac{1}{2}$ d.; meat 9s. 11 $\frac{1}{2}$ d.; fish and herring for 6 bideron ², 4s. 8d.; herrings for the customary tenants 5d.; cheese, butter, milk, and eggs, 8s. 3 $\frac{1}{2}$ d.; oatmeal 5d.; salt 3d.; pepper and saffron ³ 10d.; candles 6d.; 5 pair of gloves ⁴ 10d.; dishes 1d.; spoons 1 $\frac{1}{2}$ d.; faufets 1d.

¹ Hence a pitch-fork: sometimes called a pike, or pike-fork:

A rake for to rake up the fitches that lie,

A pike for to pike them up handsome to drie.

Tusser.

² Bedrepes. q.

³ This oriental plant was first cultivated in England in the reign of Edward III. but used here before he was born; for in 1309, when Ralph Bourne was installed abbot of St. Austin's, Canterbury, one article of the dinner's expences was, *saffron* and pepper 33 s. *Lel. Coll.* vol. VI. p. 35. In 1366, no less than 18 *pound of saffron* were consumed in the household of Margaret countess of Norfolk at Framlingham Castle, in this county. Extracts from her steward's account, in my possession. It continued long to be a considerable article of cookery, as well as medicine: "I must have *saffron*," says the clown in the *Winter's Tale*, "to colour the warden pies." But, according to the revolution of fashions, its use has of late much decreased, in both. It was chiefly cultivated in Norfolk, Suffolk, Essex, and Cambridgeshire; now, I believe, only in the last. Several pieces of land in this county still retain its name; at Fornham St. Genevieve is a piece called, the *Saffron Yard*; another at Great Thurlow, the *Saffron Ground*; and a piece of glebe land near Finningham church yard, the *Saffron Pans*, or Panes, so named, I suppose, from the slips, or beds, in which the plants were set.

In having but forty foot workmanly dight,

Take saffron enough for a lord and a knight.

Tusser.

It will add but little to the length of this note to observe, that this is the only plant in the world, of which the Chives (*antheræ*) only are useful.

⁴ Give gloves to thy reapers, a largess to cry.

Tusser.

The rural bridegroom, in Laneham's or Langham's account of the entertainment of queen Elizabeth at Kenelworth Castle, in 1575, had "a payr of *barvest* gloves on his hands, as a sign of good husbandry." The monastery at Bury allowed several of its servants 2d. a piece for *glove silver*, in autumn.

212 reapers hired for one day, 3d. each, besides their board. 13 acres of wheat cut, tied up, and trefelled (*trefeland.*) at 7d. an acre; 1 acre of oats, cut, tied up, and trefelled, at 5d.; 6 yards of canevas for the table, 12d.; grinding 5 quarters 1 bushel of malt, 8d.

What a scene of bustling industry was this! for, exclusive of the baker, cook, and brewer, who, we may presume, were fully engaged in their own offices, here were 553 persons employed in the first year; in the second, 520; and in a third, of which I have not given the particulars, 538: yet the annual number of acres of all sorts of corn did not much exceed 200. From this prodigious number of hands, the whole business (except some smaller parcels put out by the job) must have been soon finished. There were probably two principal days; for two large parties were hired, every year, for one day each. And these days were perhaps at some distance from each other, as all the different sorts of corn were scarcely ripe at the same time. Yet I know not, if the object was to finish the general harvest in 2 or 3 days, whether all the crops might not be sown so as to be all fit to be cut at once. The farmers at present sow their different grains with a view to a harvest of about 5 weeks continuance.

These ancient harvest days must have exhibited one of the most cheerful spectacles in the world. One can hardly imagine a more animated scene than that of between two and three hundred harvest people all busily employed at once, and enlivened with the expectation of a festivity, which perhaps they experienced but this one season in the year. All the inhabitants of the village of both sexes, and of all ages that could work, must have been assembled on the occasion; a muster, that in the present state of things would be impossible. The success of thus compressing so much business into so short a time must have depended on the weather. But dispatch seems to have been the plan

plan of agriculture at this time, at least in this village. We have seen before, that 60 persons were hired for one day to weed the corn.

These throngs of harvest people were superintended by a person who was called the head-reaper¹ (*supermessor*, elsewhere emphatically *messor*, and *præpositus*), who was annually elected, and presented to the lord by the inhabitants; and it should seem that in this village at least, he was always one of the customary tenants. The year he was in office, he was exempt from all or half of his usual rents and services, according to his tenure; was to have his victuals and drink at the lord's table, if the lord kept house (*si dominus hospitium tenuerit*), if he did not, he was to have a livery of corn, as other domestics had; and his horse was to be kept in the manor stable. He was next in dignity to the steward and bailiff.

The hay harvest was an affair of no great importance. There were but 30 acres of grass annually mown at this period. This was done, or paid for, by the customary tenants. The price of mowing an acre was 6d.

Leases and rentals must now continue this detail, as I have no more bailiffs accounts, which throw light on so many particulars relative to rural life. But I cannot dismiss them, without remarking, that they are all in Latin, with almost every syllable abbreviated. But how absurd was it for a servant to lay before his mistress the long detail of her year's income and expences in a language that was probably equally unintelligible to them both! The person who audited the account, and whose fee for it always appears as an item, most likely wrote it out, and explained it to the parties. The inconveniences of thus transacting business in

¹ The person, I suppose, designed by Tuffer, where he says;
Grant *harvest lord* more by a peny or two,
To call on his fellows the better to do.

an unknown tongue must have been very great, and the persons interested must have often felt themselves much embarrassed. And therefore the countess of Stafford, who died 17 Henry VI. said with much good sense, “ I ordeyne and make my testament in English tonge, for my most profit, redyng, and understanding ¹. ”

In 1410, Sir William Clopton granted the following lease :

Hec indentura testatur, quod Willielmus Clopton miles concessit, tradidit. et ad firmam dimisit, Waltero Bone de Bury sancti Edmundi, manerium suum de Hausted juxta Bury in com. Suffolk, cum omnibus suis pertinentibus, et proficuis predicto manerio per totum predictum comitatum qualitercunque spectantibus, excepta advocacione ecclesie ville de Hausted, una cum wardis, maritagiiis, releviis, et eschaetis ; et salvâ eidem Willielmo, in manerio predicto, aulâ cum cameris, coquinâ, domo molendini, et uno stabulo cum duabus cameris, uno gardino juxta aulam, et omnibus stagnis infra predictum manerium, cum libero-ingressu et egressu pro se et assignatis suis, per totum terminum subscriptum. Habendum et tenendum predictum manerium, cum omnibus suis pertinentibus, exceptis præ-exceptis, predicto Waltero et assignatis suis, a festo Pasche proximè futuro, usque ad terminum et finem . . . annorum ex tunc proximè sequentium et plene completorum ; reddendo inde annuatim predicto Willielmo aut assignatis suis viginti libras legalis monete, ad festa sancti Michaelis archangeli, et pasche, equis porcionibus. Et predictus Walterus solvet capitalibus dominis feodi servicia inde debita et consueta, nec non satisfaciât penes dominum regem, et quoscunque alios, pro omnibus oneribus dicto manerio per totum terminum supradictum quovis modo incumbentibus. Ac etiam reparabit et sustentabit omnes domos et muros predicti manerii in cooperturâ et dauburâ, sumptibus suis propriis, durante termino predicto ; excepto quod non reparabit aut sustentabit aliquas domos aut muros predicto Willielmo et assignatis suis superius reservatos. Et predictus Walterus loppabit et shredabit, in predicto manerio, temporibus congruis et sasonalibus, durante termino predicto ; excepto quod non loppabit aut shredabit arbores circa bordaras fossatorum predicti manerii, nec shredabit nec loppabit arbores circa predictum manerium, durante termino predicto. Et quod predictus Walterus recipiet de predicto Willielmo, in principio termini predicti, staurum subscriptum, videlicet, xx vaccas, et j taurum, pretium cujuslibet capitis ixs. iiij stottos, pretium cujuslibet capitis xs. ; et iiij boves, pretium cujuslibet capitis xiijs. iiijd. Predictus Walterus vult, et concedit per presentes, quod ipse liberabit, et sursum reddet predicto Willielmo, aut assignatis suis, totum predictum staurum, in fine termini predicti, aut pretium cujuslibet capitis capiendum est ad electionem predicti Willielmi, aut assignatorum suorum.

¹ Royal Wills, p. 278.

Et predictus Walterus tot acras terre in predicto manerio, in eadem culturâ et fesonâ aratas, seminatas, et composatas, in fine termini predicti dimittet, sicut eas in principio termini recepit. Et predictus Willielmus non se intromittet de servientibus dicti Walteri, nec de culturâ terre predicti manerii, durante termino predicto: nec persequetur contra aliquos servientes vel tenentes ville de Hauſted, infra terminum predictum, vel post, pro aliquâ transgressionem factâ per dictos servientes vel tenentes, durante termino predicto. Et predictus Willielmus habebit ayſiamenta grangiarum, et domorum dicti manerii, pro bladis suis ibidem liberandis et exonerandis, cum libero ingressu & egressu, pro se et assignatis suis, a festo Pasche proxime futuro post datum presentium, usque ad nativitatem sancti Johannis Baptiste tunc proximè sequens, sine contradictione predicti Walteri, seu cujusdam alterius. Et predictus Walterus habebit ayſiamenta grangiarum et domorum predicti manerii, pro bladis suis ibidem liberandis et exonerandis, cum libero ingressu et egressu pro se et assignatis suis, a festo Pasche infra terminum predictum, usque ad festum nativitatis sancti Johannis Baptiste ex tunc proxime sequens, sine contradictione predicti Willielmi, seu cujuscunque alterius. Et si predicta firma a retro fuerit in parte vel in toto, ad aliquos terminos supradictos, per quindenam, tunc bene liceat predicto Willielmo, aut assignatis suis, in predicto manerio, cum omnibus pertinentibus suis predictis, et in quâlibet parcellâ eorundem, distringere, et distractiones abinde abfugare, asportare, et remove, quousque de arreragiis dicte firme plenè fuerit satisfactum. Et si predicta firma a retro fuerit in parte vel in toto ad aliquos terminos supradictos, per unum mensem, tunc bene liceat predicto Willielmo, aut assignatis suis, in predictum manerium cum omnibus pertinentibus suis, simul cum omnibus bonis et catallis ibidem inventis, reintrare, et in pristino statu suo retinere, presenti dimissione ullo modo non obstante. Et ad omnes et singulas convenciones supradictas bene et fideliter ex parte dicti Walteri tenendas et observandas, idem Walterus obligat se et heredes et executores suos in centum libris legalis monete solvendis eidem Willielmo aut executoribus suis, si defecerit in premissis, vel in aliquo premissorum. Et ad omnes et singulas convenciones supradictas bene et fideliter ex parte dicti Willielmi tenendas et observandas, idem Willielmus obligat se, heredes et executores suos in centum libris legalis monete, solvendis eidem Waltero vel executoribus suis, si defecerit in premissis, vel in aliquo premissorum. In cujus rei testimonium, hiis indenturis partes supradicte alternatim sigilla sua apposuerunt. Datum die Lune in festo sancti Mathie apostoli, anno regni regis Henrici quarti post conquestum undecimo.

Though the manor, or demesne lands, above demised, were well understood by the parties concerned, yet modern curiosity is disappointed at not being informed of the number of acres, as well as of the rent. The landlord reserved to himself the advowson of the rectory, with the wards, marriages, reliefs, and escheats;

escheats ; besides the manor-house, with its chambers ¹, kitchen, mill-house, a stable with its chambers, a garden near the house, and all the ponds. The tenant was to maintain all the houses and walls (except those which the landlord reserved to himself) in covering and daubing ²; and not lop and shred the trees about the borders of the enclosures, nor those that immediately surrounded the manor-house. He was to receive, at the beginning of his term, several head of live stock, the price of which was fixed, and which he was to deliver up at the expiration of it, or their value in money, at the option of the landlord. He was also to leave, at the end of his lease, as many acres, as well ploughed, sown, and manured, as he received at first. The landlord was not to interfere with his tenant's servants, nor with the culture of land ; nor prosecute any of those servants, nor any tenants of the village, either during, or after the lease, for any trespasses committed during that term. If the rent was in arrear, either in part, or in the whole, for a fortnight after the two days of payment, the landlord might distrain ; if for a month, re-enter and re-possess. Each of the parties bound themselves to forfeit 100l. upon the violation of any part of the agreement.

What a picture of the violence and disorder of the times ! What tenant now thinks it necessary to stipulate with his landlord,

¹ These were probably servants-rooms, which, as well as the kitchen, were detached from the house, as I believe was not uncommon in former times.

² Most of our inferior houses, and several barns, &c. have their walls still *daubed*. The composition is a light-coloured marle, dug a little below the surface of the ground, in several parts of the village : it is very tenacious ; and when well kneaded with straw, and some additional chalk, forms a compact mortar, which, if tolerably sheltered from the weather, by projecting roofs, and eaves-boards, or weather-boards, will last 50 years. Cottages thus plastered or *daubed* are warm and comfortable ; their walls are not subject to grow moist by change of weather ; and, in my opinion, look better than those in many parts, which are formed of ill-shapen fragments of stones cemented with a soil that is yearly crumbling away.

that he shall not interfere with the culture of his farm; nor prosecute any of his servants or dependants for any misdemeanours they may commit? Did the tenant want to screen his husbandmen from the justice of the law, or from the arbitrary violence of his landlord?

Upon how short a default of payment might the tenant's property be seized! and how enormous was the penalty (no less than five years rent) on either party, upon the infraction of any of the articles!

The prohibition of breaking-up pastures, that was never omitted in after-times, does not appear from this lease to have been now thought necessary. The tenant was only bound to leave as much and as well-cultivated arable land, as he had received. Attention was even now paid to the preservation of timber.

Several rentals, about this time, specify rents, but not the number of acres. One, however, in 1420, mentions 8 acres of arable land let at 6d. an acre. Another, in 1421, 38 acres, at 9d. an acre; and a garden at the old rent of 10s. a year. Land seems not now to have been of more value than it was above 80 years ago. These were not the times of improvement. In 1448, the hay of an acre was worth 5s. which it must have been in 1359, when an acre of meadow was worth 5s. a year.

In 1491, the abbot of Bury let two pieces of pasture, containing together 18 acres, to a man and his wife, and their executors, &c. for 80 years, for 6s. 8d. a year, which is about $4\frac{1}{2}$ d. an acre. The tenants were to extirpate all the thorns growing on the said pastures, within the first 12 years. And if the rent was not paid on the two usual days, or if all the thorns were not extirpated within the time prescribed, the landlord might re-enter, and distrain the tenants, and all their goods and chatels found on the farm, *or elsewhere in the village.*

This

This lease marks very strongly the languid manner in which husbandry was carried on, at this period. There would, I believe, be but little need, in a modern lease, of a clause to compel a tenant, upon pain of ejection, to grub up the thorns in his pastures; the severest condition he would think would be, not to be permitted to do it. The allowance of 12 years for clearing 18 acres, seems to bespeak no great alacrity in performing the business. The exactness of payment, and the extent of the distraining power, denote a great degree of harshness and severity.

From this lease we cannot be surprised, that in 1500, when the lands of the manor were measured, “per virgam vocatam” “le standard, continentem $16\frac{1}{2}$ pedes in longitudine,” none of them, even those about the manor-house, which we may presume were most valuable, were let for more than 1s. 6d. an acre, and only one piece reached that rent. 1s. 4d. was the general rate. Pasture and arable land were not distinguished in value. This probably was owing to the increase of the former; otherwise, what was become of the meadows that in 1359 were worth 5s. an acre?

In the reign of Henry VIII. (the year not specified) $31\frac{1}{2}$ acres of arable land were let for 1s. an acre, and $34\frac{1}{2}$ acres of arable land, and $4\frac{1}{2}$ acres of meadow, for 42s; which is 1s. an acre for the arable, and 20d. for the meadow.

In 1536, 4 acres of arable land were let for 4s. a year; 7 acres for 8s.; and Clopton’s closes (about 25 acres), for 20s. now for 20l.

In 1546, 2 acres, 3 roods, of meadow, were let for 14s. a year; $\frac{1}{2}$ an acre of meadow for 2s. 6d.; 3 acres of pasture, for 4s.; and 2 acres of londe (that is arable land), for 2s.

In 1572, 39 acres, consisting of “londe, meadowe and pasture,” were let for 21 years for 4l. 9s. a year, which is about 2s. 3d. an acre; the landlord reserved to himself the liberty of
hawking

hawking, *baying* ¹, hunting, and fouling; with power to distrain upon default of payment on the usual days; and to re-enter upon default of a month. The tenant might stubb and grubb the bushes and briers growing on the grounds; and *eare* ², break up, and put in tillage, all the pasture grounds, except the borders about the same, where there grew either wood or timber; and might crop, lop, and shred, such trees as had been used to be cropped, lopped, and shreded, and none other. He was also to lay, and leave the *eareable* land to pasture, one whole year before the end of the lease.

The same year, 14 acres 3 roods were let for 21 years, for 2l. 9s. 2d. a year, which is about 3s. 6d. an acre. Also 4 acres for 4s. Both leases with the same articles as that first mentioned.

By these leases, the tenant was left at his liberty, whether he would clear his fields from bushes or not. The landlord covenants and grants, that he *shall and may stubb*, &c. as if it could be a matter of indifference to either party, whether the lands were well cultivated, or half their value lost.

The restriction that the borders of the fields where timber grew, should not be ploughed up, was very judicious. In those bushy belts that were some yards broad, grew considerable quantities of timber, and that of the best sort; as trees that have room to extend their branches on all sides, and are exposed to all the vicissitudes of the weather, by standing single, grow larger, and of a more compact texture, than those that are crowded together in woods. The clearing of these borders in modern times,

¹ This word, which occurs only in this lease, means *rabbit-netting*. A *bay*, says Minshew, is a net to catch conies. And in the Suffolk Mercury, for 6 February, 1720, is advertised, as lost from a warren in the neighbourhood, "*A rabbit-net, called a bay.*"

² To *ear* is to plough; so used in the English translation of the Bible, and other contemporary writings. *Eareable*, in this lease, is the same as arable. From the Latin.

will, in my opinion, operate very strongly towards the decrease of timber. Some majestic pollards, and other trees, the produce of these nurseries, still remain at a distance from the hedges, but will never be succeeded by others, as no fostering and protecting bushes are now left.

It was no less judicious to confine the tenant to lopping and shreeding such trees as had been before lopped and shreeded. The custom, which prevails in many places, of shreeding timber trees to their very summits, not only destroys their beauty, but injures their growth: for how can a tree have a large body without large limbs? The pruning of trees, destined for timber, requires so much caution and judgement, that no country gentleman should think that operation beneath his attention; instead of which, it is generally left to the careless and unskilful hand of a common labourer, who often, with a single stroke of his hook, spoils a tree that would have been fit for the navy.

Harrison¹ has accounted for the scarcity of timber, against which the two last mentioned leases guarded so carefully: and what he says, so well illustrates the period and subject of which I am treating, that I trust the reader will not be displeased with the transcript of it. “ This scarcitie at the first grew, as it is
 “ thought, eyther by the industrie of man, for maintaynance of
 “ tillage, or else thorowe the covetousnesse of such as in pre-
 “ ferring of pasture for their sheep and greater cattell, doe make
 “ small account of firebote and tymber: or finally, by the crueltie
 “ of the enemies, whereof we have fundrie examples declared
 “ in our histories.” He proceeds thus, a little afterwards. “ Al-
 “ though I must needs confesse, that there is good store of great
 “ wood or tymber here and there, even now, in some places of
 “ England, yet in our dayes it is farre unlike to that plentie
 “ which our auncesters have seene heretofore, when stately
 “ building was less in use. For albeit, that there were then:

¹ P. 212.

“ greater

“ greater number of messuages and manfions almost in every
 “ place, yet were their frames so flite and slender, that one
 “ meane dwelling-houfe in our time is able to countervayle very
 “ many of them, if you confider the present charge, with the
 “ plentie of timber that we bestow upon them. In times past,
 “ men were contented to dwell in houfes, buylded of fallow,
 “ willow, plumme-tree, hardbeame, and elme, so that the use of
 “ oke was in a manner dedicated wholly unto churches, religious
 “ houfes, princes palaces, noblemens lodgings, and navigation;
 “ but now all these are rejected, and nothing but oke any whit
 “ regarded.”

In 1574, 15 acres were let for 21 years, for 18s. 4d. a year, which is less than 1s. 3d. an acre. The tenant was to take only two crops together : he was also yearly, and every year, during the lease, at his own proper cost and charge, to stubb, and *reat up*, all manner of bushes and thorns upon a certain close, taking the same in lieu and recompence of his charges, bestowed about making clean the said close.

In 1575, the landlord was to receive in part of rent, three cart loads of barley straw, good, sweet, and well *ended*. The last term is still used for *inned*, housed.

In 1577, 21 acres in the *towne*, *fylds*, and *hamlets*, of Hawsted, were let for 21 years, for 11. 11s. 8d. a year, which is about 1s. 6d. an acre. The tenant was to stubb and *reat up* the thorns, as before.

It was the same landlord, Sir William Drury, that granted the three last mentioned leases; and by them it should seem, as if he thought it necessary that some better management should take place in his estate. For the tenants have it not now in their option, whether they will stubb up the bushes, or not; the landlord does not covenant and grant, that they *shall and may*; but the tenants covenant and grant that they *will*; to which they
 are

are encouraged by having the bushes for their trouble. The business however did not promise to be done in a very husbandlike manner, as it was to be repeated annually.

These particulars may be thought too minute; but they mark strongly the state of husbandry two centuries ago.

In 1580, the enclosed ground called *the new Park*¹, with a messuage called *the Lodge* therein, Langhedge meadow, with a Close called the *Horse-pasture*, the *Ox-barn*, at *Hawsted House*, with a chamber there, called the *Mill-house*² chamber, the carter's stable, and the carter's chamber, without the outermost gate-house, were let, for 10 years, for 56l. 18s. twenty good and able loads of barley-straw, and twenty combs of oats, a year; a fine of 50l. being paid before the execution of the lease. The landlord might re-enter, and repossess, upon 20 days default of payment, the rent being legally demanded. The tenant was to pay 8s. for the *taske*³, as often as it should become

¹ Harrison speaks with indignation of the increasing number of parks, in his time, as inimical to tillage and population. "Certes, if it be not one curse of the Lorde to have our countrey converted in such sorte from the furniture of mankinde, into the walkes and shrowdes of wyld beasts, I know not what is any." p. 205.

² In 1410, as we have seen, the landlord reserved to himself the *mill-house*. These were formerly no uncommon appendages of a great house. Barnaby Googe, in his "Whole Art and Trade of Husbandry," printed 1586, gives this account of a *house-mill*: "when as in a great house, there is great need of corn-milles, and the common milles being farre off, the way foule, and I at mine own libertie to grind at home, or where I list [which sometimes the principal lords would not suffer], thinking to make a mille here at home, when neither place nor authority will serve me to build either a water-mille, or a wind mille; and a *querne*, or a *hand-mille*, doth but little good; and to build a *horse-mille* were more troublesome: when I saw the *wheels*, that they used to draw water, turned with *asses*, or *men*, I thought in the like sort, the wheel of a mill might be turned, and after this sort devised I *this engine*, which a couple of asses, guided by a boy, do easily turn, and make very fine meal, sufficient for mine own house, and most times for my neighbours, whom I suffer to grind toll-free." p. 10.

This mill was in a back-house, and said to be a new-fashioned one.

³ *Taske* means *tax*; it is elsewhere called, *take*. Shakspeare, in the first part of Henry IV. has, — *task'd* the whole state. And Holinshed, p. 422. "There was a new and strange subsidie or *taske* granted to be levied for the king's use." Steevens's note.

due; to have sufficient *fire-boote*, *plough-boote*, *carte-boote*, *harrow-boote*, and *hedge-boote*; and be discharged from the payment of all manner of tithes.

The proviso of the legal demand of rent, previous to distraining, occurs only in this, and one other lease, this reign. It was a clause very favourable to the tenant, as it secured him from any sudden exertion of his landlord's power. The tenant was exempted from the payment of tithes; not that this park had such exemption; but probably because the patron, from his influence and authority, could make a better composition with the rector, than the tenant could; an ancient, dissingenuous custom, not yet every where abolished.

Here were several *hop-yards*, as they were called, at least as early as the year 1581, as appears by a survey of the manor then taken: in 1616, one near *the place*, containing $1\frac{3}{4}$ acre, was valued at 2l. a year.

The cultivation of *hops* had been introduced into England in the reign of Henry VIII. and seems to have been early attended to in this county: for Bullein, who wrote "his Bulwarke of Defence," in the middle of the 16th century, mentions their growing at Brufiard, near Framlingham, and in many other parts. And in "his Government of Health," he says, "though there cometh many good hops from beyond sea, yet it is known, that the goodly *soilles* and fruitful grounds of England do bring forth, to man's use, as good hops as groweth in any place in this world, as by prooffe I know, in many places in the countie of Suffolke, whereas they brew their beere with the hops that groweth upon their own grounds." And from the manner in which Tuffer, who was a Suffolk farmer, about the same time, mentions them, and from the frequent directions he gives about their management, I should suppose, that almost every person, who had a proper spot, cultivated some at least for his own use:

Meet

Meet plot for a *hop-yard* once found, as I told,
Make thereof account, as of jewel of gold.

“ There are few farmers or occupiers in the countrie,” says Harrifon, “ which have not gardens and hops growing of their owne, and those farre better than do come from Flanders unto us ¹.” This crop has not been cultivated here for many years.

It appears also by the above survey, to how great a degree the lands were neglected ; pieces of *terra et pastura dumosa et boscalis*, continually occuring, and some of them in the lord's own hands.

In 1589, 24 acres were let for 11 years, for 41s. 8d. a year, nearly 1s. 9d. an acre. The tenant was to pay *takes*, fifteenths, tenths, and the tithes.

By an inquisition taken at Bury, 24 Sept. this year, it appears, that 40 acres of meadow and pasture, in this village, were worth 10l. a year, which is 5s. an acre ; and that wheat was 8s. a comb, barley 6s. 8d. and rye 5s.

At the same time, the farm called *Hawsted Hall* was let for 20l. a year, 20 combs of wheat, 10 of oats, and 3 loads of wheat straw.

In 1593, the court-yard, being the *basecourt* of the place, or capital mansion-house ; the *bowling yard*, and *banks* ² lying near the said house ; the *orchard*, which by an old map appears to have been 11 acres ; the close, or walk, called the *horse-walk* ; the *dove-house* ; the hog-yard ; the pastures, feedings, and grounds, within the walls of the said house ; the *old park*, with the *lodge*, &c. therein ; were let for 3 years, for 40l. a year, with power to re-enter, and re-possefs, upon 20 days default of payment. The landlord reserved to himself the capital house, the moat, and all other waters, and their fisheries ; the pasturage, and

¹ P. 110.

² These were the terrasses formed by the earth thrown out of the moat.

walk of two geldings ¹, and of 50 deer, male and female, whereof 6 to be bucks; and the liberty of taking brick from the clamp to repair the capital house. The tenant was to pay yearly, to the parson of the church, one buck, and one doe ², in feason, for and in the name of the tithe, payable out of the demeſne lands of the manors of Hawked, Talmage's, and Buckenham's. He was alſo to pay and deliver at the capital house, all the corn and grain that ſhould grow or renew on any of the grounds during the leaſe, if any ſo be. He was to have to his own proper uſe all the deer in the park, except thoſe before reſerved. He was to keep the park-pale, and the buildings, in repair, bing allowed timber for the ſame: he was to cheriſh and maintain the fruit-trees in the orchard; to break up none of the paſtures; nor to aſſign over any part of the lands he had hired, except by his laſt will.

The prohibition of breaking up paſtures ſeems to be repeated in this leaſe; in one claufe it is expreſſed, though without any penalty annexed; in another it ſeems to be implied, in the landlord's taking all the corn, if there ſhould be any. This prohibition was particularly neceſſary about this period, when the exceſſive exportation of corn had raiſed it to an immoderate price ³. The farmer, tempted with this proſpect

¹ Theſe were for his own riding; as horſes for draught were generally kept ſtoned. See p. 186. "*Geldings*," ſays HARRISON, "are now growne to be very dere among us, eſpecially if they be well coloured, juſtly lymmed, and have thereto an eaſie ambling pace. For our countrimen, ſeeking their eaſe in every corner, where it is to be had, delight very much in theſe qualyties, but chiefly in their excellent paces, which, beſides that it is in manner peculiar unto horſes of our ſoyle, and not hurtful to the rider or owner, ſitting on their backs; it is moreover very pleaſaunt and delectable in hys eares, in that the noyſe of theyr well-proportioned paſe doth yeeld comfortable ſounde, as he travelleth by the waie." p. 220.

² This was a common compoſition for the tithe of a park, and continues ſtill in many places; as at Hengrave, in this neighbourhood.

³ See Chron. Pret. And in 1598, when the county compounded for the proviſions to be delivered for the royal houſehold, wheat was rated at 40s. a quarter.

of gain, would, if not prevented, have broken up all his pastures, and sacrificed the certain profits of his grass-grounds to the ever more precarious ones of tillage, and which would in a great measure have ceased, when foreign demands slackened.

The humane attention to the tenant's family, in case of his death, by empowering him to assign the farm, by his last will, should not pass unnoticed, at a period, when people in low life appear not to have been so much considered by their superiors as they are at present ¹. And in this instance the indulgence is the more remarkable, as it is not likely that the tenant should lay out much money on his farm, for so short a lease.

The same year, 1593, a piece of ground called the *Long Lawne* ², containing 67 acres, 3 roods—the *Little Lawne*, 19 acres, 1 rood—a grove called *Elming Grove*, 23 acres, 3 roods,—a *little lawne* by it, 12 acres, 2 roods—*Oakley wood*, with the ponds and waters leading up to the garden, 44 acres, 3 roods—grounds and lawnes towards Bury, 59 acres—a piece of ground, called the *Little Harpe*, 3 acres, 3 roods—in all, 231 acres, 3 roods, being parcels of land within or near *Hawsted Park*, called also *the great Park*; were let for three years, for 57l. 13s. 9d. a year, which is nearly 5s. an acre. Also a piece of pasture, called *Bricklefield*, 62 acres, 2 roods; and a wood, lying there, called *How Wood*, 13 acres, 3 roods; in all 76 acres, 1 rood; were let at the same time, and to the same person, for 16l. a year, which is above 4s. 3d. an acre. The tenant was to have all the wood and trees that should fall, or be blown down, or

¹ A tenant may now, by law, devise his lease.

² In a rental of this manor, made in 1500, mention is made of 9 acres in campo vocato le *lawnde*; and so this word was pronounced by Shakspere, and his cotemporaries;

Under this thick grown brake we'll shroud ourselves,
For through this *laund* anon the deer will come.

11th Part of Henry VI. Act III. Sc. I.

It was properly an untilled plain, extended between woods. Steevens's note.

leane

leane down, by the winds and tempest; and if he should stubb or pull up any bushes growing on his grounds, for cleansing the same, he was to have such part of them for his trouble, as should please his landlord. The landlord was to keep him harmless from all damages and costs of suit, which he might sustain for default of payment of tithe or herbage. And if the tenant broke up, and sowed with corn, any part of his grounds, the landlord was to have and take one half of the corn growing thereon.

In 1599, distraining upon default of payment was not to take place till 30 days, and then only if the rent had been lawfully demanded.—It is pleasing to note these gradual advancements of forbearance and lenity.

Land, from the above statement of its rents, seems to have increased but little in its value, this long and prosperous reign. Even the pastures of the park, towards the close of it, had only reached the rent of meadows 200 years before.

From the neglect of pastures, which, at different times, neither the landlord nor the tenant seem to have been in earnest in clearing from bushes; tillage was probably chiefly attended to, and that too with good success, if we may believe Harrison, who published his description of Britain in 1577: he says, that in ordinary years, each acre of wheat, one with another, throughout the kingdom, if well tilled and dressed, would yield 20 bushels; of barley, 36; of oats, and such like, 5 quarters. And Tuffer, who wrote some time before him, says the same; for he thus divides corn harvest into ten equal parts:

1. One part cast forth for rent due out of hand.
2. One other part for seed to sow thy land.
3. One other part leave parson for his tith.
4. Another part for harvest, fickle, and sith.

5. One

5. One part for ploughwrite, cartwrite, knacker¹, and smith.
6. One part to uphold thy teems that draw therewith.
7. Another part for servant and workman's wages laic.
8. One part likewise for filbellie daie by daie.
9. One part thy wife for needful things doth crave.
10. Thy self and thy child the last part would have.

The tenfold produce of the seed sown, is about the avarage of modern crops; so that in this respect, agriculture has been much the same for two centuries. The great advantage which the farmer of the present time has over his predecessor, in the 16th century, is derived from turneps and clover, which are cultivated in some parts, and beans in others: so that, strictly speaking, a good farmer's arable land is scarcely ever fallow, or unprofitable to him: whereas, in the old husbandry, the land, every third year, when it did not bear corn, bore nothing.

In 1603, *Hawsted Hall*, or manor house, with 126 acres of land, situate in the towne and fields of Hawsted, were let to William Crofts, esq; of Bury St. Edmund's, for 11 years, for 40l. and 10 combs of oats a year, which is about 6s. 8d. an acre. The landlord reserved to himself the liberty of keeping courts in the house; with power of re-entry upon 28 days default of payment, or upon any of the grounds being assigned to another. It was covenanted, that no pastures should be broken up, but no penalty was annexed.

In 1611, the *dairy-house*, situate on the west side of the outward court-yard of the chief house called *Hawsted House*, a barn, &c. a garden, several utensils of household, the use of the brewing and baking-houses at the chief house, with five parcels of Hawsted park, containing together 155 acres, were let for 3 years for 85l. 5s. a year, which is near 11s. an acre. The

¹ *Knacker* is still a Suffolk word for the person who makes harness, collars, and leather furniture in general for the farmer.

landlord reserved to himself the liberty of *supplanting*, removing, or taking away, any of the sickamore-trees ¹, rose-trees ², or artichokes ³, then growing in the said dairy-garden. The tenant could not assign the farm but to his wife or children, and to those only by his last will: and if he broke up, and sowed, any of the pastures, he was to forfeit $\frac{1}{2}$ of the crop. He was, to the utmost of his power, to preserve, and cherish up, the trees and plants, in the garden or orchard, and the same garden well plant with herbs. He was to pay 40s. if he killed any deer that should break into his fields: he was not to keep any stoned horse loose, and at liberty; nor joist any mares, geldings, or colts, for a shorter time than the whole summer; nor convert into hay-ground a specified pasture. The landlord discharged him from paying all fifteenths, tenths, taxes, and subsidies, due out of the demised lands; as also all tenths due to the incumbent of the rectory.

In the schedule of the utensils in the milk house, are mentioned two *cheese-breds* ⁴, and two *evangelett fats* ⁵. In

¹ Though the sickamore tree thrives so well, and is now so common in England, yet it certainly is not a native. "It is a stranger," says Gerarde, who wrote in 1597, "in England, only it groweth in the walks and places of pleasure of noble-men, where it is especially planted for the shadow sake." It is a native of Switzerland. Those now mentioned must have been nursery plants, and probably were the first seen in these parts.

² The rose-trees were probably of the scarcer kinds. Sir Richard Weston, who wrote 40 years after this, says, "we have red roses from France."

³ Evelyn, in his *Acetaria*, written in 1699, says of the artichoke, "'tis not very long since this noble thistle came first into Italy, improved into this magnitude by culture, and so rare in England, that they were commonly sold for 'crowns apiece.'" They were introduced, however, long before this into our gardens; for in Gerarde there is a print of the globe kind, which he calls, *cinara maxima Anglica*, and mentions the different ways of dressing it. By the attention paid them in this lease, they were certainly, at that time, esteemed rarities.

⁴ *Cheesebreds* are *Cheeseboards*; as the pax-board, that used to be kissed in token of peace and amity, was sometimes called the pax-bred. So also "a new bred to give othys upon, made of waincoate" (for there were silver breds) occurs in History of Norfolk, vol. II. p. 609.

⁵ *Evangelett* (Evangelists) *Fatts* were, I apprehend, so called, from being charged with

In 1615, the houses, barns, and lands, called *Hawsted Park*, were let for 12 years, at these rents; every acre, not ploughed, and measured to the tenant, 9s.; every acre of meadow, 17s. 2 a year; and every acre of arable ground (which after the first two years were to be 70) half the corn that should grow on the same. The landlord reserved to himself the walk of 10 deer, in the park, with liberty to hunt and take them; and, besides the usual power of entering upon the lands with carts and horses to carry away timber, was to have a passage over them with coaches¹. The tenant was to be discharged from tithes, for which he was to pay his landlord 40s. a year, on Lammas-day: he was to be allowed, by the next tenant, half the expences he should incur, for locks and keys, hooks, hinges, and glass-windows². And upon the violation of any of the covenants,

for

with the images of those saints, which were to be imprinted on the cheeses. The Warwickshire, and particularly the sage cheeses made in Gloucestershire, have still sometimes various devices on them. Almost every thing belonging to our ancestors bore some religious impress. The *apostle spoons*, formerly presented at christenings, and so called from having the figures of the apostles at their ends, are not all yet melted down. Mr. Gough has what might be called an *evangelet* spoon, with the figure of St. Mark's lion on the top of the handle. Mr. Pennant, in his *Journey to Snowdon*, p. 287. mentions the *waiffail cup of the apostle*, whom probably, adds that ingenious traveller, they invoked at the time of drinking. It bore probably the name, or figure, of the saint. A standing *cup, called the michell*; and a *broad white flat pece, having a michell*, were among cardinal Wolsey's plate. Coll. Cur. vol. II. p. 303. And I have a fac-simile of a lady in monumental brass, whose fantastic head-dress, of the reign of Edward IV. is charged with. *Lady. . . .³ Jesu Percy.*

¹ This is the first time these carriages are mentioned. They were as yet rare in the country. They are supposed to have been first introduced into England by the earl of Arundel, in 1580.

² This is the first clause respecting glass windows; a luxury, probably, but just now introduced into farm-houses here. In 1567, though glass was then much more common than it had been, yet was it still such a rarity, that the steward of the earl of Northumberland thought it advisable, that because the glass of the windows of my lord's castles and houses through extreme winds did decay and waste, the same should be taken out and laid up safe, during his lordship's absence. In 1661, when Mr. Ray was in Scotland, the windows of the ordinary country houses there were not glazed; and only the upper parts of even those in the king's palaces had

³ Probably *help*.

for which no power of re-entry was given, was to forfeit three times the value of the damage so incurred.

In 1616, when a survey of the manor was taken, the *demesne lands* consisted of $366 \frac{3}{4}$ acres of pasture and arable land, and $38 \frac{3}{4}$ of meadow, in all $405 \frac{1}{2}$, and were valued at 249l. a year, which is above 12s. an acre. $39 \frac{1}{2}$ acres of wood were valued at 12l. a year, which is about 6s. an acre.

The *Hall Farm* consisted of 175 acres ($8 \frac{1}{2}$ of which were meadow) and was valued at 91l. 7s. 1d. which is about 10s. an acre.

Great Piper's farm consisted of $138 \frac{1}{2}$ acres ($8 \frac{1}{4}$ of which were meadow) and was valued at 50l. a year, which is about 7s. an acre.

Some pieces of meadow and pasture, near the principal mansion, were rated at more than a guinea an acre.

The timber (called in a survey made in 1581, *grossæ arbores meareonii*) on the manor was valued at 1480l. 10s.

Among the demesne lands was a piece of 9 acres, called *the Parrock*. This was formerly a fenced place, in which was a dog-house, and where deer were kept in pens, for the course. The spot was to be a mile long, and a quarter broad, and narrower at one end than the other¹. In 1581, it was called *le Pok* (perhaps from its shape) and said to be, *palis inclusus, in fine boreali parci*. It is now known by the name of *the Paddock*, and consists partly of wood, and partly of arable land.

In 1620, *Bryer's Wood Farm* was let for 21 years, for 15l. a year. Upon breaking up and sowing any of the pastures, their

glafs; the lower ones having two wooden shutters, to open at pleasure, and admit the fresh air. Itin. p. 187, 188. And in some of the distant parts of the kingdom I have, within a few years, observed, that some of not the worst cottages are not yet provided with glafs windows; a comfort, which the poorest house in this village has long enjoyed.

¹ See ample directions for this sport, in Dictionar. Rustic.

whole produce was to be forfeited. All the compost, muck, and marle, that should arise on the farm, was to be bestowed upon some part of it: and at the Christmas before the end of the lease, the landlord might enter and plough the summer-till lands, allowing the tenant 3s. 6d. an acre for them.

The same year, a close called *Upper Lisper*, next Whepsted, containing 20 acres, was let for 10 years, for 10l. a year. The tenant might stubb up the bushes, and plough and sow the whole, for the first 5 years, and was to lay it down with grafs, the last 5, in the best and most husbandly fashion. He was not to cut and plash the quicksets, but at seasonable times; and was to lay the hedges after the most husbandly fashion.

This is the last time we hear of stubbing up bushes: rent of land was now become too serious an affair for the tenant, though not bound by covenants, to suffer them to reign undisturbed. To eradicate them entirely was reserved for a future period.

In 1625, 20 acres were let for 18 years, for 6l. 13s. 4d. a year, which is 6s. 8d. an acre. Five years before the end of the lease, one-third of the arable land was to be laid, and kept to pasture.

This period, from 1603, the peaceful reign of James I. stands conspicuous for an astonishing and unequalled increase of the value of land. The rents are now more than double of what they were even at the close of the last reign: yet in that the foundation of their present advance must have been laid; and in many parts of the kingdom the advance must then have actually taken place; for in 1593, wheat might be exported, when it did not exceed 20s. a quarter; whereas in 1563, it was not to exceed 10s. In 1624, wheat might be exported when it did not exceed 32s. a quarter.

That the rents of land in this village were not advanced to any considerable degree, during the reign of Elizabeth, must

have been owing to the indolence or indulgence of an opulent landlord, who did not seize the earliest opportunity of increasing his revenue. That great advances must have been made in other parts, is evident, as has been just observed, from the different prices, at which wheat might be exported in an interval of only 30 years, from 1563 to 1593. Harrison, who published his description of Britain during that period, has noticed the cause of this revolution: "certainly," says he, "the soyle is even now
 " in these our dayes, growne to bee muche more fruitefull, than
 " it hath been in times past. The cause is, that for our
 " countriemen are growne to be more payneful, skilful, and
 " careful, *thorowe recompence of gayne*; insomuch that my
 " fynchroni, or time felowes, can reap at thys present great
 " commoditie in a lyttle rounge; whereas of late yeares, a
 " great compasse hath yeelded but small profite, and thys onely
 " thorowe the idlē and negligent occupation of such as manured,
 " and had the same in occupying ¹." He has elsewhere remarked the improved condition of the farmer, and embellished the passage with such lively strokes of rural character, and economy, that I cannot forbear transcribing it: "So common
 " were all sorts of treene vessels in old time, that a man should
 " hardly find four pieces of pewter (of which one peradventure
 " was a false) in a good farmer's house; and yet, for all this
 " frugality (if it may so be justly called) they were scarce able
 " to live, and pay their rents, at their days, without selling of
 " a cow, or a horse, or more, although they paid but four
 " pounds at the uttermost, by the year ². Such also was their
 " poverty, that if some one of farmer or husbandman had been
 " at the alehouse; a thing greatly used in those days, amongst

¹ P. 109.

² This, says the marginal note, was in the time of general idleness.

“ fix or seven of his neighbours, and there, in a bravery, to
 “ shew what store he had, did cast down his purse, and therein
 “ a noble, or fix shillings in silver, unto them, it was very likely
 “ that all the rest could not lay down so much against it. Whereas,
 “ in my time, although peradventure four pound of old rent be
 “ improved to forty or fifty pound, yet will the farmer think
 “ his gains very small toward the midst of his term, if he have
 “ not fix or seven years rent lying by him, therewith to purchase
 “ a new lease ; besides a fair garnish of pewter on his cowbord,
 “ three or four feather-beds, so many coverlets, and carpets of
 “ tapestry, a silver salte, a bowle for wine (if not a whole nest)
 “ and a dozen of spoons, to furnish up the sute. This also he
 “ taketh to be his own clear ; for what stock soever of money
 “ he gathereth in all his years, it is often seen, that the land-
 “ lord will take such order with him for the same, when he
 “ reneweth his lease (which is commonly eight or ten years
 “ before it be expired, sith it is now grown almost to a custom,
 “ that if he come not to his lord so long before, another shall
 “ step in for a reversion, and so defeat him outright) that it
 “ shall never trouble him more than the hair of his beard,
 “ when the barber hath washed and shaven it from his chin ¹.”

Tuffer, who wrote in the same reign, talks also of fines, and high rents :

Great fines so neere did pare me,
 Great rent so much did skare me.
 Though country health long staid me,
 Yet lease expiring fraid me.

So by the lease of 1580, recited above, it appears that the landlord received a fine of 50*l.* upon granting it.

In 1627, 9 $\frac{1}{2}$ acres were let for twelve years, for 3*l.* 10*s.* a year, which is rather above 7*s.* an acre ; and 39 acres for 20*l.*

¹ P. 189.

which is about 10 s. 4 d. an acre; the whole was in three pieces, called *the Lifmers*. The tenant was not to plough any of the lands, except for the first seven years; after which, the whole was to be laid to pasture, upon penalty of 5l. for every acre not so laid.

In 1628, the house called *the Dairy*, and 341 acres 1 rood, in 7 pieces, chiefly pasture, being part of *the great park*, belonging to the chief house called *Hawsted Place*, were let for 7 years, for 137l. 8s. 9d. a year, which is about 8s. an acre. The tenant, if he broke up, and sowed any of the pastures, was to forfeit the whole crop. He might crop and lop such *pollards* ¹ as had before been cropped and lopped.

The same year, 112 acres, part also of *the great park*, lying in the parish ² of Hawsted, were let for 6 years, for 61l. 1s. 7d. a year, which is about 11s. an acre. The tenant, upon breaking up and sowing any of the pastures, was to forfeit 5s. yearly for every rood so broken up.

In 1633, 62 acres, 2 roods, were let for 21 years, for 42l. 15s. 3d. a year, which is about 13s. 8d. an acre. The tenant had liberty to break up and sow only 2 $\frac{1}{2}$ acres, and that only for the first 11 years.

In 1635, 92 acres, parcels of *the great park*, were let for 21 years, for 49l. 1s. 7d. a year, which is about 10s. 8d. an acre. The tenant was to forfeit 40s. a year, additional rent, for every acre of pasture which he should plough and sow.

In 1636, 57 acres were let for 10 years, for 29l. 8s. 6d. a year, which is about 10s. 4d. an acre, with the same penalty

¹ This is the first time this word occurs. In 1632, are mentioned all such trees, *pollards* and *busbands* as bear tops for firing.

² This, I think, is the first time that any deed in my possession uses this word. The Latin term is *villa*: and in English deeds, the lands are described as lying in the town, township, and fields of Hawsted. Anciently, a district, when considered ecclesiastically, was called a *parish*; when civilly, a *vill*, or *town*. But the word *parish* is now so generally used, that the distinction is nearly lost.

upon breaking up pastures, as in the last. 16 cart loads of muck were to be laid yearly on some of the arable lands; and the great cattle foddered in winter with hay, on the pastures.

In 1658, the *Hall Farm* was let for 11 years, for 1181. a year. Upon 28 days default of payment, the demise was either to be void, or the landlord might distrain at his option. The tenant might not assign the farm to any person whatever; and was to forfeit 40s. a year for every acre of pasture which he should break up.

In all these leases from 1603, distress was to take place upon 28 days default of payment, without the previous legal demand of the rent; a proviso that had been admitted in the reign of Elizabeth, and which was so favourable to the tenant, that it should seem, by the omission of it, as if the landlord wished to keep him in perpetual terror. In opposition to this must be set the humane clause, that empowered the tenant to assign, by his last will, his farm to his wife or children, or his executors for the performance of his will: an indulgence, which I suppose was often found so detrimental to the estate (for who can say, *Quales sint pueri, qualisque futura sit uxor?*) that it was denied in 1658, and never afterwards granted.¹ The tenants were in general to pay all the town charges; and repair the buildings, being allowed timber for that purpose; as well as wood for firing, and for implements of husbandry.

In 1682, the following wages of servants and labourers in husbandry, were rated and appointed by the justices of the peace, at their quarter sessions, holden at the neighbouring town of Bury St. Edmund's, 24 April.

Wages by the year.				A 2d hind or husbandman, or					
	l.	s.	d.	common servant above 18		l.	s.	d.	
A bayliffe in husbandry	—	6	0	years of age	—	—	3	10	0
A chief husbandman, or carter	5	0	0	A fourth under 18	—	—	2	10	0
				A dairy-maid, or cook	—	—	2	10	0

¹ Yet the law will allow it, unless the tenant expressly gives it up.

The best hired servants, with meat and drink, for harvest	l.	s.	d.	A common labourer at other times.	l.	s.	d.				
An ordinary harvest man	—	0	18	0	In summer	—	—	0	0	6	
Wages by the day.				In winter	—	—	—	0	0	5	
A man hay-maker, with meat and drink	—	—	0	0	5	Women, and such persons, weeders	—	—	0	0	3
A woman hay-maker	—	0	0	3							
A man reaper in harvest	—	0	0	10							
A woman reaper	—	—	0	0	6	Without meat and drink, their wages were doubled.					

The same year the *Hall Farm* was let for 3 years for only 105l. a year. The liberty of keeping courts in the house was reserved. The time of re-entry upon default of payment, was extended to 40 days, and only then after a legal demand of the rent; a clause that has continued to this day. Former penalties upon breaking up pastures were either found inconvenient, as the forfeiture of all, or some part of the crop, or inadequate, as 40s. an acre; the penalty was therefore now fixed to 5l. an acre, additional yearly rent, which is still continued, except in an instance or two, where it is unnecessarily increased to 10l. The tenant was now, for the last time, allowed cart-boote and plough-boote.

In 1723, *Bryer's Wood Farm* was let for 12 years, for 29l. 5s. a year. The tenant, besides the croppings of pollards, was to have the bodies of dead or dotard trees¹, for firing.

In 1732, the tenant was, as usual, to keep the hedges in repair, being allowed bushes and stakes for the same, as well as the stuff and *shravel wood*² that should arise therefrom, towards the charge of doing the same. He was also to bestow on some part of the lands one load of good rotten muck (over and above what was made on the farm) for every load of hay, straw, or stover, which he should carry off them. The duty of sending teams into the highways for their repair, first occurs in this lease, and

¹ Pollard trees, that would produce no more wood for lopping. *Dotard*, or rotten trees, occur in a survey of the possessions of the archbishop of Canterbury, taken in 1646. Bib. Topog. Brit. N° XII. Append. p. 54.

² See *shruff*, in the list of words used in this neighbourhood, p. 173.

from

from which the landlord exempts the tenant, though he was to pay all such taxes, assessments, and levies, as should be laid on his farm for the king's majesty, commonly called the land-tax, as also the poor and church-wardens rates, with the tithes great and small. The annual quantity of wood for firing was now first limited; it was to be 8 loads *of one bind wood*, worth 10s. a load, at the stubb, to be cut, made up, and carried at the tenant's expence. His rent was 8 l. a year.

In 1740, the tenant was to leave, the last year of his lease, one-third of his arable land summer tilled, ploughed, and fallowed, *in three clean earths and a rove*¹, for which he was to be paid according to the custom of the country. No croppings of pollards were to be taken of less than 12 years growth.

In 1753, when *Pinford End Farm* was let, the penalty upon breaking up pastures was enlarged to 10 l. an acre. All the compost, dung, soil, and *ashes*, arising on the farm, were to be bestowed upon it. Only two crops together were to be taken on any of the arable lands; provided, if the said lands should be sown with *clover* or *rye-grass*, and the same should not be mowed or seeded, but fed; or if sown with *turneps*, and the same spent or fed on some part of the farm, such clover, rye-grass, and turneps, should not be esteemed a crop. The landlord was either to set out yearly a sufficient quantity of wood for the tenant's firing, or allow him *coals* in lieu of it. The tenant was also to be allowed 2s. for every waggon load of dung or cinder ashes, which he should bring from Bury, and lay on his lands.

This lease presents us with several remarkable particulars in rural economics. The *ashes* first mentioned were those of wood, and were now attended to, as it had become a custom to sell them to the soap-boilers, who visited every house, with light quartering carts, to collect them. There are scarcely any roads

¹ A *rove* is half a ploughing: two furrows are made instead of four.

impracticable to these adventurous vehicles. When a tenant was to profit by the consumption of fuel, it was not likely he should be very sparing of it.

This is the earliest lease I have, in which *rye-grass*, *clover*, and *turneps*, though long before cultivated here, became objects of consideration between the landlord and tenant. The first (*lolium perenne*) is a native of England, and has been long sown as fodder for cattle; it ought to be called *ray-grass*, its old and proper name. The second is said to have been introduced into England in 1645¹; and was first sown in this parish, the beginning of this century. About the same time, *turneps* also, that capital addition to modern husbandry, were first sown here, as a crop, by the same person that sowed clover: and as it has been thought no disgrace to a nobleman, to have it recorded of him, that he first cultivated this most useful vegetable, on a large scale, in the contiguous county of Norfolk; I hope to be excused in rescuing from oblivion the name of Michael Houghton, who, about the year 1700, sowed the first two acres of turneps ever seen in this parish. And it may perhaps gratify local curiosity to be told, that Mr. Metcalfe's present garden was part of that spot. I had this information from an old man, now alive, who was born in 1692; and who well remembers, that he was struck with the novelty of this crop, when he was a school boy, which he ceased to be when he was nine or ten years old.

The destruction of wood had been guarded against, with greater or less strictness, in almost every foregoing lease. The quantity of it for firing had for some time been limited; and timber for implements of husbandry withholden; but its scarcity was now become serious; and this, I believe, is the first time that coals were thought of, as fuel, for a farm-house in this parish.

¹ Aubrey's Surry, vol. III. p. 229.

The allowance of 2s. for every load of manure, which the tenant should bring from Bury, and lay on his farm, will probably, at this time, excite our wonder; but this wonder will be swallowed up by one infinitely greater, upon our being assured, that during the 21 years the landlord was charged with only one load. Posterity will almost withhold its belief; but I vouch for the truth of it.

About the same time, another tenant had it not left to his option, but was obliged to bring annually from Bury 30 loads of manure, to lay on his farm, for which he was also to be allowed 2s. a load. This task he performed with reluctance; and often seemed afraid of over-loading his waggon.

These are mentioned as two curious instances of the late race of farmers. They lived in the midst of their enlightened neighbours, like beings of another order; in their personal labour, they were indefatigable; in their fare, hard; in their dress, homely; in their manners, rude.—“We ne’er shall look upon “their like again.”

In 1782, clover, if seeded on, or from a second crop, and turneps, if not spent, or fed, upon some part of the farm, were to be esteemed as crops of corn. The tenant was to spend, fodder, and lay all the hay, straw, halm, ashes, chaff, *colder* ¹, and stover, that should arise on the farm, upon some part thereof.

Thus have I thrown together whatever relates to the history of cultivated land in this village: and it is my wish, that the imperfections, not only in this, but other divisions of this essay, may stimulate others to correct them, by favouring the public with the histories of other parishes in the county. It is only by the united efforts of many that any subject can be sufficiently illustrated.

¹ Called also *caving*. It means those ears of wheat, in which the corn will not separate from the chaff, without being threshed by themselves.

Some may perhaps think, that I have been too minute in my detail. To this it may be replied, that to trace the progress of any art or employment, that has engaged the industry and attention of man, has always been esteemed at least an amusing, if not an useful disquisition. To attempt therefore a history of the agriculture of even a single parish, as forming a part of that greatest of national objects, and upon which the statesman and philosopher have so often bestowed their thoughts, and a considerable and very valuable class of our fellow creatures their labour, cannot be deemed a trifling design. The execution may be feeble; but the subject is important.

I shall now subjoin a few particulars of the present state of husbandry. The farms are in general, from four to about six score pounds a year, at about 14s. or 15s. an acre, cultivated by persons who need not be ashamed at the display of their operations. This place, as being near a large town, in a well inhabited part of the kingdom, and generally the residence of some family of consequence, has never probably been the last in admitting any improvements in the arts of civilized life; and, in general, all maritime districts, as being, for the most part, better peopled, and more open to intercourse with strangers, than the more central ones¹, may be presumed to have preceded them in every kind of refinement. Agriculture therefore has been conducted here, for some years, in the spirited manner of modern times. The farms have in general been occupied by men of substance, who employ at least twice the number of

¹ These used to be called *uplandish*, a term that implied an inferiority in civilization. Harrison, in his Description of Britain, mentions *uplandish towns*. And Dr. Bullein, his contemporary, gives a humorous description of a person, whom he calls "*a barbarous uplandish jenkyng*." Compounds, p. 56. "*Uplondish men will couterfete, and liken himself to gentilmen*." Trevisa's translation of Higden, as quoted by Dr. Henry. But a general diffusion of knowledge and politeness has for many years worn away this distinction.

labourers,

labourers, that formerly wrought on the same spots; and whose calculation is, that a man, at his entering upon a farm, if he would stock it, and manage it, as it ought to be, should have a hundred pounds in his purse, for every score pounds of rent.

One great, perhaps the greatest improvement of which this strong soil is capable, is the drainage of the arable lands, of many of which wet is the malady. The drains, cut with curious tools made on purpose, are about two feet deep, wedge-shaped, and filled at bottom with bushes, and over them with halm, upon which the earth is laid. Six or seven score rods of these drains, at 2d. a rod, are generally cut upon an acre, and, with other expences, amount at least to 30s. This, it is plain, is a costly operation, but it has fertilised spots that before produced but little, and repays the tenant, the first year. Besides, by the grounds being thus drained, the farmer can come so much sooner upon them with his plough.

The lands have been also meliorated, to a very considerable degree, by great quantities of compost brought from Bury: waggons are now daily groaning with these valuable loads, almost unknown to former farmers, who were to be bound by their leases not to sell and carry away the muck made in their own yards; and encouraged by rewards, to bring any from Bury. From the great attention to the plough, not an inch of land is left neglected; the broad bushy borders about the fields have been cleared and sown; and it is well, if even the roots of the hedges escape the ploughshare. These efforts of expensive industry produce one year, and one acre with another, about 5 combs of wheat, 7 of barley, 7 of oats, 4 of pease, 7 or 8 of coleseed, and 1 of clover.

A practice has much increased of late, and been found to answer extremely well, that of foiling horses in the stable or yard, instead of turning them out to pasture. This is done with artificial

fial graffes, but chiefly with winter tares, which are sown about Michaelmas, and begin to be cut about the middle of May. By this method much waste is avoided; for none of the fodder is trampled upon or spoiled, none loaded or neglected, as when whole fields are ranged over; fences are not broken, nor corn damaged; nor do the animals lame themselves or one another. Add to this, that the pastures are by these means more appropriated to the service of the dairy.

Having mentioned horses, I must take this opportunity of doing justice to a most useful breed of that noble animal, not indeed peculiar to this parish, but, I believe, to the county. This breed is well known by the name of *Suffolk Punches*. They are generally about 15 hands high, of a remarkably short and compact make; their legs bony; and their shoulders loaded with flesh. Their colour is often of a light sorrel, which is as much remarked in some distant parts of the kingdom, as their form. They are not made to indulge the rapid impatience of this posting generation; but, for draught, they are perhaps as unrivalled, as for their gentle and tractable temper; and to exhibit proofs of their great power, *drawing matches* are sometimes made; and

' I have transcribed an advertisement, the first that occurred, of one of these matches:

On Thursday, 9 July, 1724, there will be a *drawing* at Ixworth Pickarel, for a piece of plate of 45s. value; and they that will bring five horses or mares may put in for it: and they that draw *20 the best and fairest pulls, with their reins up*, and then, they that can *carry the greatest weight over the block, with fewest lifts, and fewest pulls*, shall have the said plate; by such judges as the masters of the teams shall choose. You are to meet at 12 o'clock, and put in your names (or else to be debarred from drawing for it), and subscribe half a crown apiece, to be paid to the second best team.

Suffolk Mercury, 22 June, 1724.

Some parts of the above may perhaps require a commentary.

The trial is made with a waggon loaded with sand, the wheels sunk a little into the ground, with blocks of wood laid before them to increase the difficulty. The first efforts are made with the reins fastened, as usual, to the collar; but the animals cannot,

and the proprietors are as anxious for the success of their respective horses, as those can be, whose racers aspire to the plates at Newmarket. An acre of our strong wheat land, ploughed by a pair of them, in one day, and that not an unusual task, is an achievement that bespeaks their worth, and which is scarcely credited in many other counties. Though natives of a province, varied with only the slightest inequalities of surface, yet when carried into mountainous regions, they seem born for that service. With wonder and gratitude have I seen them, with the most spirited exertions, unsolicited by the whip, and indignant, as it were, at the obstacles that opposed them, drawing my carriage up the rocky and precipitous roads of Denbigh and Caernarvon shires. But truth obliges me to add, though not to the credit of my compatriots, that these creatures, formed so well by nature, are almost always disfigured by art. Because their long tails might, in dirty seasons, be something inconvenient, they are therefore cut off frequently to within four inches of the rump, so that they scarcely afford hold for a crupper; and as absurdity never knows where to stop, even the poor remaining stump has frequently half its hair clipped off. In a provincial paper, a few years ago, one of these mutilated animals was expressively enough described, as having a shorn mane, and *a very short bung'd dock*.

When the ancient use of oxen was discontinued, and only horses were employed by the farmers here, I cannot say. Oxen are not mentioned in the leases of the reign of Elizabeth; for then, when the landlords reserved to themselves the power of coming upon

not, when so confined, put out their full strength: the reins are therefore afterwards thrown loose on their necks, when they can exert their utmost powers, which they usually do by falling on their knees, and drawing in that attitude. That they may not break their knees by this operation, the area on which they draw is strown with soft sand.

the

the farms to carry away timber, mention is made of carts and horses only, for that purpose. Yet from several passages in Tuffer, who was a Suffolk farmer early in that reign, if not in the preceding one, it should seem as if they were then used, in some parts at least of this county. In speaking of husbandly furniture, he says :

With *ox-bows*, and *ox-yokes*, and other things mo,
For *ox-teem* and horse-teem, in plough for to go.
Strong oxen, and Horses, well shod, and well clad,
Well meated and used.

They are, at this time, employed but by one gentleman in this neighbourhood, who harnesses them like horses ; and says, he has every reason to be satisfied with their service ¹.

Another practice adopted here, and which, I believe, is not generally known, is that of drawing the turneps towards the end of March, when they begin to run to seed, cutting off their tops and bottoms, and throwing the bodies in heaps in some out-house. By these means, the cattle have a delicious repast of the green tops ; and the bodies, not exhausted by the flowering stems, continue firm and good for some weeks, and are distributed at discretion. The lands are also the sooner cleared, and ready to be ploughed for the succeeding crop of barley. Some, instead of housing the turneps, lay them, without any operation, close to one another, in a single stratum, at some corner of a field ; where, though they push out their blossoms, yet are they less stringy than if they continued growing on their native spot. Either method succeeds very well (though the former is rather

¹ The elegant Buffon, speaking of the ox, says, “ Il semble avoir été fait exprès pour la charrue ; la masse de son corps, la lenteur de ses mouvements, le peu de hauteur de ses jambes, tout, jusqu’à sa tranquillité, et à sa patience dans le travail, semble concourir à le rendre propre à la culture des champs, et plus capable qu’aucun de vaincre la résistance constante et toujours nouvelle que la terre oppose à ses efforts.”

Quadrupèdes, Tome premier, p. 250.

preferred

preferred) and serves to eke out the fodder at this critical time of the year.

Grass-grounds are, in general, about one-third part of the farms; and are therefore no inconsiderable object of the farmer's attention. The same good husbandry pervades them, as the arable lands. They are kept in the best and neatest order. *The rough lays*, as they used to be called, are now no more; and *the coursing lays*, near *the place*, those thrubby shelters for hares, known only by the map. In short, the mighty work of stubbing up bushes is now accomplished. The butter made in this parish is exceeded by none in the neighbourhood; and of our cheese in general it may be said, that it does not now deserve the ill name it formerly had.

It follows of course, that they who take such good care of their lands, should not be neglectful of their personal and domestic comforts. The farm-houses are in general well furnished with every convenient accommodation. Into many of them a barometer has of late years been introduced; a most useful instrument for the husbandman, and which is mentioned here as a striking instance of the intelligence of this period. The tea-pot, and the mug of ale, possess jointly the breakfast table; and meat and pudding smother on the board every noon. Formerly, one might see at church what the cut of a coat was half a century before; no such curiosity is now exhibited; every article of dress is spruce and modern.

At this time, a head servant man, who lives in the house, receives for wages 7 or 8 guineas a year; a maid 3; a boy 2. A day labourer has 1s. 2d. a day in summer, and 1s. in winter, besides an allowance of beer; for threshing a comb of wheat, 1s.; of the great, or *clog wheat*, or *rivets*, 1s. 3d.; of barley and oats, 6d. or 7d.; for mowing an acre of grass, 1s. 4d. a weeder of corn has 6d. a day.

This article of wages must not be dismissed, without comparing them with those given in former times. In the 14th century, a harvest man had 4d. a day, which enabled him in a week, to buy a comb of wheat; but to buy a comb of wheat, a man must now work in the harvest field 10 or 12 days. A man had formerly 6d. for mowing an acre of meadow, which, if he worked hard, he might finish in a day, and purchase for himself a bushel of wheat, which must now be earned by 5 days labour. 2d. a day for weeding corn, 4d. for threshing a quarter of wheat, and 2d. for other grain, were better wages than those now given, and enabled the laziest lubber to earn more than the most industrious workman can at present. So that whatever hardships the poor might formerly suffer from the oppression of their superiors, still however they seem to have been better paid for their labour than they are at present.

Their annual salaries, that were from 5s. to 13s. 4d. were lower in proportion; though these were increased to a degree which I am not able to ascertain, by allowances (*liveries* they were called) of various kinds of grain.

The *harvest* now lasts about 5 weeks; during which the harvestman earns about 3l. The agreement between the farmers and their hired harvestmen is made on Whitson Monday. *Harvest gloves* of 7d. a pair are still presented. During harvest, if any strangers happen to come into the field, they are strongly solicited to make a present to the labourers, and those who refuse are reckoned churlish and covetous. This present is called a *Largefs*; and the benefactor is celebrated on the spot, by the whole troop, who first cry out, *Holla! Largefs! Holla! Largefs!* They then set up two violent screams, which are succeeded by a loud vociferation, continued as long as their breath will serve, and dying gradually away. Wheat harvest is finished by a little repast given by the farmer to his men. And the completion of the whole is crowned

crowned by a banquet, called the *Hockey*, to which the wives and children are also invited. The Largefs money furnishes another day of festivity, at the alehouse, when they experience to perfection the happiness of,

— — — *Corde oblita laborum.*

At all their merry-makings their benefactors are commemorated by, *Holla! Largefs!* The last load of corn is carried home, as it were in triumph, adorned with a green bough.

Time is gradually, and but gradually, wearing away many ancient superstitions. The appearance of departed spirits is not yet quite discredited. I was asked very seriously, some years ago, by a farmer's wife, if I had not seen the ghost of a lady, who died in the apartment which I then inhabited.

There are those who would not willingly kill a bacon-hog, in the decrease of the moon. And it is generally reckoned lucky to set a hen upon an odd number of eggs ¹.

These sketches may be thought by some to exhibit the general picture of agricultural life; but this is certainly not the case. They might be rendered more interesting by a contrasted drawing; but that is not my present business. I delineate my own village. Let others do the same by theirs.

¹ This fancy, it is remarkable, was laid down as a maxim by Palladius, who, speaking of Hens, says, "supponenda sunt his semper ova numero impari." Lib. I. tit. 27. And Varro had said the same before him. Lib. III. cap. 9.

A P P E N D I X.

H A R D W I C K.

AS this estate is extraparochial, and consequently has no chance of ever being included in any Parish History; and as it is indissolubly annexed to the manor of Hawsted¹; no place can be so proper as this to give some account of it. The little therefore I have to say about it, shall be thrown into the same order as was observed in the foregoing compilation.

C H A P. I.

NATURAL HISTORY.

THIS spot was anciently called *Herdwick*, and *Herdwick Wood*; and the principal mansion has been long known by the name of *Hardwick House*. Its bounds are not disjoined from those of Hawsted above half a mile; and it is surrounded by the parishes of Bury St. Edmund's, Horningheath, and Nowton. It is considerably elevated above the meadows contiguous to Bury; and

¹ See p. 75.

its soil, like that at Hawsted, is fertile both in corn and pasture. Chalk, gravel, and brick earth, are found at different depths beneath the surface. The deeper strata I had an opportunity of examining in October 1777, by digging a well close to my house. Of these and their productions I shall give an account from the short and hasty notes I took at the time.

1—2 feet beneath a shallow stratum of black vegetable mould was a good brick earth. At 18 inches, a water eft or newt (*lacerta palustris*) had formed a smooth hole for its winter residence. 2—15 feet, a yellowish, compact, and tough loam, interspersed with nodules of chalk of every degree of hardness, flints, and stony concretions, containing bivalve shells, some smooth, some transversely striated, cornua ammonis, and worm shells (*serpulae*.) The common earth-worm (*lumbricus terrestris*) was found as deep as 3 feet, in a hard and yellowish loam, driven probably to that depth by the very dry summer preceding. At 6 feet, a roundish stone, about 200lb. weight, consisting of a very hard crust, lined with a tender cristallization, and full of water. 15—17 feet, a bluish loam interspersed with snake stones (*helmintholithus ammonites*), crow stones (*helmintholithus gryphites*), and thick oyster-shells about 4 inches broad (*ostreae maximus, rugosus et asper*, of Lister, p. 236). At 17 feet, the loam became of a ferrugineous colour; and to this depth, in seemingly so unfriendly a soil, had penetrated some finely-branching vegetable fibres, perhaps those of an old pear-tree, that had stood not far off. At 20 feet, a stratum of sand; at 21, a soft sandy loam; 21—25, a sharp yellow sand, with thunderbolts (*helmintholithus belemnites*). 25—28, coarse gravel, with large flints. 29, a yellowish loam. 29—35, a deep blue loam, extremely dry and tough, with large flints; a few small pieces of mundic, and a snake stone impregnated with it. 35—49, the loam was still very tough and dry, of a pale blue,

in some parts tinged with yellow, and intersperfed with thunderbolts; pieces of iron ore (one weighing about 5 ounces); of mundic; of flate (something like the *sciflus tabularis*, but fofter) exhibiting the filvery impreffions of very small fnake ftones, or perhaps nautili; one fpecimen of *belmintholithus anomites* η ; and one of the ftar ftone (*belmintholithus aſteria columnaris*) perfectly cylindrical, confifting only of 3 joints, and thoſe a little fwoln; it is ſomething more than $\frac{1}{4}$ inch long, and nearly $\frac{1}{4}$ in diameter, the edges of the five-pointed ftar finely notched ¹. 49—129, chalk ², the cruſt of which was almoſt as hard as limeſtone; afterwards it became fofter, intersperfed with large flints, and ſome ſmall roundiſh maſſes of yellow ocre; at 91, it began to be moiſt, and continued to grow more and more ſo; frequently tinged with yellow; towards 112, the flints were much leſs frequent; and between that and 118, a candle was ſoon extinguished, owing, the digger ſaid, to the air that iſſued from the crevices of the chalk. At 120, a thick ponderous ſhell ³, tolerably perfect, about 6 by 7 inches acroſs, with 8 or 9 deep circular furrows: ſome fragments of this had appeared before. At 129 feet, water guſhed out of the ſolid chalk. The well has at different times been ſince deepened about 8 feet more, the ſame pure chalk continuing, with fragments of the great ſhell. The water curdles ſoap; doubtleſs from the particles of iron with which the chalk is impregnated.

¹ See a curious engraving and deſcription of the animal, to a ſpecies of which this foſſil belongs, and which was found at Barbadoes. Phil. Tranſ. 1761. p. 537.

² At Ickworth, the ſeat of the earl of Briſtol, about 3 miles to the north-weſt, when a well was dug in 1781, the chalk was from 67 to 175 feet, at which latter depth water was found.

³ From the appearance of this (the inſide of which I was afraid of clearing from the chalk) I had no doubt of its being a bivalve: but have been ſince aſſured, it is a *Patella*, and found in chalk about Dover, and other parts of Kent.

What

What a jumble has this earth, which we inhabit, undergone! Subterraneous geography is a subject of very curious investigation. I have added my mite towards its history.

To the catalogue of plants at p. 2, may be subjoined the following, which grow very near the house: were I to allow myself an excursion but of a few miles, the list would be nobly enriched.

Tuberous Moschatel (*Alexa Moschatellina*) in shady hedges.

Drop wort (*Spiraea juliflora*) on the heath.

Winter aconite (*Gemma rivale*) in a wood.

Bugle (*Ajuga reptans*. *Bugula Flore rubro*. Ray's Syn. 245) in a wood¹.

Yellow Nettle Hemp (*Galeopsis Galeobdolon*) in hedges.

Common Calamint (*Melissa Calaminta*) on dry banks.

Shining Dove's-foot cranesbill (*Geranium lucidum*) in hedges.

Common grass vetch (*Lathyrus nissolia*) among grass.

Yellow vetchling (*Lathyrus aphaca*) among grass.

Yellow-flowered Trefoil (*Trifolium ochroleucon*) in pastures².

Yellow Medick (*Medicago falcata*) on dry banks.

Woolly headed Thistle (*Caracus eriophorus*) among grass.

Fir Hydnum (*Hydnum auriscalpium*) on half-rotten cones of Scotch firs.

Curled Elvela (*Elvela mitra*) on rotten wood.

The air is pure, and frequently clear, when the low grounds near Bury are enveloped with fogs. Hence the vegetables in this garden often remain uninjured by the frost, while those in the gardens about the town suffer greatly.

The uncertainty of our climate appears in nothing more, than in the irregular advances of the spring. This may be exemplified by comparing the different times, when several vegetables blossom, in different seasons. The present spring will afford one extreme; and one not long passed, that of the year 1779, the

¹ This is a remarkable variety, with smooth leaves, except that they are a little fringed at the edge towards the base, and pink-coloured blossoms. The whole plant is much less hairy than the common sort, and of a much smaller size. It continues the same when removed into the garden.

² It grows also in the driest and hardest stations.

other.

other. The observations were made on the same individuals in and near the garden.

	1779	1784	Difference in days.
Apricot-tree	20 Feb.	15 April	54
Wood Anemone	9 March	16 April	38
Apple-tree	6 April	15 May	39
White Thorn	15 April	22 May	37
Vine	14 June	23 June ¹	9
Lime-tree	21 June	7 July	16

It appears by this short table, that the greatest variation is in the early part of the spring; there being a no less difference than 54 days between the earliest and latest blossoming of the apricot tree; of the three next articles less than 40; and of the two last, less than 20. And some other foliitil plants, such as Sedums, St. John's Worts, Thistles, &c. I never knew to vary above 10 or 12 days, whatever the preceding season might have been.

Of the remarkable frosts of last summer, which literally

“ Fell in the fresh lap of the crimson Rose.”

I was going to give some account in this place; when I was informed that the Royal Society proposed doing me the honour to print, in their next publication, a paper which I had laid before them on the subject.

That very beautiful bird, and the smallest of any English one, the golden crested wren (*Motacilla Regulus*), is a constant inhabitant of the garden. In it are also found the bristly snail (*Helix hispida*), the sharp snail (*Helix lapicida*), and the *Turbo bidens*.

There is no place properer than this, where I may mention a custom which I have twice seen practised in this garden, within a few years, namely, that of drawing a child through a cleft

¹ I have rarely observed the vine to blossom earlier than this year, and the cause of this forwardness was the remarkably warm May, when it made its first efforts of vegetation.

tree. For this purpose, a young ash was each time selected, and split longitudinally about 5 feet; the fissure was kept wide open by my gardener, while the friend of the child, having first stripped him naked, passed him thrice through it, always head foremost. As soon as the operation was performed, the wounded tree was bound up with packthread; and as the bark healed, the child was to recover. The first of these young patients was to be cured of the rickets; the second of a rupture. About the former I had no opportunity of making any inquiry: but I frequently saw the father of the latter, who assured me, that his child, without any other assistance, gradually mended, and at last grew perfectly well.

Doctor Borlase, in his *Antiquities of Cornwall*, p. 178. mentions a custom practised in that part of the island, which is analogous to that just recited. There is a stone, he says, in the parish of Marden, with a hole in it, 14 inches diameter, through which, he was informed by an intelligent neighbouring farmer, many persons had crept for pains in their backs and limbs; and that fanciful parents, at certain times of the year, do customarily draw their children through, to cure them of the rickets.

The author adduces many more instances of the supposed efficacy of persons passing through, or between the parts of, various substances: but for them I must refer to the work itself. Yet I cannot help remarking how curious it is, that the eastern and western extremities of the kingdom should coincide in this singular custom, the spirit of which is certainly deduced from the remotest antiquity; and of which the historians of the interior parts have not, as far as I at present recollect, taken any notice. Men of education laugh, and with reason, at such idle practices; but the common people, untutored by philosophy, transmit them for ages from father to son, and shew us how our ancestors thought and acted, thousands of years ago.

C H A P.

C H A P. II.

ECCLESIASTICAL HISTORY.

THIS must of necessity be reduced within the narrowest compass, in treating of an extraparochial place. The few inhabitants have generally resorted to the neighbouring churches at Bury, for divine service. I have, however, in my possession two archiepiscopal licences for a private chapel here, granted to the last Sir Robert Drury and his widow. And as forms of this sort are not, I believe, very common, the printing of them may have its use; and it may also perhaps amuse the curious to compare them with the papal one already given, at p. 120.

Georgius Providentia divina Cantuariensis archiepiscopus, totius Anglie primas et metropolitanus, ad quem omnis et omnimoda jurisdictio spiritualis et ecclesiastica, in diocesi Norwicensi, Cantuariensi provincie, ratione visitationis nostre metropolitice ibidem notorie dignoscitur pertinere, universis et singulis clericis et literatis aliisque in eadem provincia ad quos hec pervenient, salutem. *Cum* dilectus noster magister Thomas Ridley legum Doctor, vicarius noster in spiritualibus generalis in visitatione nostra metropolitana infra diocesem Norwicensem predictam rite et legitime procedens, decretum suum ad effectum infra scriptum ex certis causis interposuerit, ad petitionem venerabilis viri Roberti Drurie militis, ejusdem dioceseos et provincie, justitia id poscente; *vobis* igitur per presentes significamus et intimamus, quod licentiam et facultatem dedimus et concessimus, et per presentes damus et concedimus prefato domino Roberto Drurie, quo ipse dominus Robertus Drurie possit, si voluerit, infra domum suam communiter vocatam Hardwick House, in diocesi predicta, de tempore in tempus preces communes ac conciones habere, et sacramenta et sacramentalia ibidem celebrari facere, donec capella ibidem edificabitur, debite conservanda. Ac ut liceat eidem domino Roberto Drurie cum uxore sua et familiaris suis, ac viduis quibuscumque in hospitali suo ibidem edificato de tempore in tempus habitantibus, preces communes et conciones, ac sacra et sacramentalia in dicta domo sua audire et recipere. Quodque nos ulterius dilectum nostrum Richardum Brabon, sacre theologie Bacchalaureum, ad officium presbiteri, ac ad preces communes

munes et divina, ac sacramenta et sacramentalia de tempore in tempus infra dictam domum vocatam Hardwick Houſe, dicendum, legendum, predicandum, et miniſtrandum deputavimus et assignavimus, ſicque deputamus et assignamus. Ac quod eidem domino Roberto Drurie (prefato Richardo Brabon impedito) bene licebit alium quemcumque idoneum clericum ad premiſſa ibidem facienda et celebranda de tempore in tempus (quamdiu hujus facultatis et licencie noſtre decretum durabit) assignare et deputare. *In cujus rei teſtimonium* ſigillum ' officii vicarii noſtri in ſpiritualibus generalis antediſti preſentibus apponi fecimus. *Datum* ſub eodem ſigillo viceſimo ſexto die menſis Julii, anno Domini miſeſimo ſexcenteſimo decimo tertio ².

T H O. R I D L E Y.

As the above licence was granted only to Sir Robert Drury, and till he ſhould fit up a chapel, his widow, I ſuppoſe, found it neceſſary to procure the following one.

Georgius Providentia divina Cantuarienſis archiepiſcopus, totius Anglie primas et metropolitani, dilecte nobis in Chriſto Domine Anne Drury vidue relicte domini Roberti Drury nuper dum vixit de Hardwick prope oppidum Bury Sancti Edmundi, in comitatu Suffolciendi militis deſuncti, ſalutem. *Cum* nuper in noſtra viſitatione metropolitica dioceſeos Norwicensis licentiam dicto marito tuo jam demortuo, tibi que et liberis veſtris conceſſimus habendi oratorium in edibus tuis de Hardwick predictis, locumque commodum in dictis edibus assignavimus per ſuperviſionem aliquorum fide dignorum virorum, ubi divine preces ſingulis diebus feſtivis et profeſtis vobis et familie veſtre per idoneum miniſtrum legi et pronuntiari potuiſſent. Et jam ab eodem tempore nobis relatum ſit, quod tu dictum oratorium ita probe ornaveris, ut majorem ardorem in hominum animis accenderet ad divina officia in eodem loco exequenda. Et ſimul inſinuatam nobis eſt, dictas edes tuas de Hardwick olim pertinuiſſe ad Coenobium ſive monaſterium Sancti Edmundi predicti, ita ut facile colligi non poteſt, intra cujus eccleſie fines dicte edes ſcite ſunt, et communis opinio magis eſt dictas edes extra fines et limites cujuſquam parochie ſcitas eſſe: ideo ex uberiore gratia noſtra ad humilem petitionem tuam tibi concedimus, ut non ſolum habeas licentiam peragendi divinas preces matutinas et vespertinas ſingulis diebus dominicis et feſtivis in dicto loco; ſed etiam ſacras conciones habendi, et ſacramentum coene domini ibidem celebrandi, quoties vel per adverſam tuam valetudinem, aut per celi intemperiam commode ad eccleſiam Burienſem accedere non poſſis, modo id cures fieri per idoneum miniſtrum verbi divini, executionem ſui officii in ſe habentem, morigerum et modeſtum, obſequentem in omnibus et per omnia legibus et canonibus eccleſie Anglicane prout jam ſunt in uſu. Atque inſuper ut omnia decore et cum decente apparatu ſiant, prout par eſt, in omnibus

¹ It is of red wax, engraven of the ſame ſize, in the plate of Seals, N^o II.

² Subjoined to this is a ſimilar licence to Sir Robert for a private chapel at Snareſhill, near Thetford, which was not included in the bounds of any pariſh. So that, what is ſomething remarkable, Sir Robert was proprietor of two extraparochial houſes.

hujusmodi

hujusmodi divinis ministeriis obeundis, durante vita tua naturali. *In cujus ref testimonium* sigillum vicarii nostri in spiritualibus generalis presentibus apponi fecimus. *Datum* decimo quarto die mensis Martii, anno Domini millesimo sexcentesimo decimo sexto (stilo Anglie) et nostre translationis anno sexto.

THO. RIDLEY.

It is difficult to assign a reason why the archbishop was applied to for the above licences, as the bishop of the diocese was surely competent to have granted them. The second is remarkably faulty, both in the reciting part, and in grammar, as well as orthography; the errors in the last of which it did not seem necessary to preserve. The place assigned for the chapel by the vicar general, upon the survey of proper persons, is a damp and uncomfortable apartment; and gives one an opportunity of contrasting the hardness of former times with the excessive tenderness and delicacy of the present: for even the poor almshouse women would now be almost afraid of sitting an hour in this room, which was fixed upon as an oratory for a lady of fashion in the last century.

C H A P. III.

PROPRIETORS.

THIS estate appears to have been in the crown till the reign of Stephen; for the *Registrum Sacristæ*¹ mentions a deed of that monarch, dated at Bury, and witnessed by Robert de Ver, which gave the monks of St. Edmund, and their cellarer, free and quiet possession of Herdwick; and in the *Monasticon*² it is recited among his donations to the monastery. From its vicinity

¹ M. S. B.

² V. I. p. 295. where it is misprinted *Herwick*.

to that vortex, it is much it had not been before absorbed by it. It continued in the hands of the abbey till the Dissolution. Tradition reports, that it was the abbot's dairy; which is probable enough, both from its name, and its being a tract of woody pastures. The principal house, it is also said, was his occasional residence: but no part of the present building is of any considerable antiquity, except a spacious chimney under ground; so that no idea can be formed of what its ancient grandeur was. Some of the abbatial villas, we know, were magnificent; for abbot Sampson, who died in 1211, built Redgrave Hall¹ of stone.

After the Dissolution, I conjecture (for I speak not from vouchers), this estate remained some time in the crown; and that queen Mary granted it to the family of Southwell; in which, however, it continued not long; for on the 19th of April, 1610, Sir Robert Drury purchased it of Thomas Stanton, Mercer; and on the 18th of March following, annexed it, as we have already seen, for ever, to the manor of Hawsted. He appears to have been pleased with the spot, making it his seat for some time before his death; and his widow died here. It was for some time the residence of my father; as it has been mine, for these last 20 years. The house is singularly situate upon the very line that divides the open and wood-land country; commanding a very pleasing view of the town of Bury, and its neighbourhood.

¹ This estate (about 16 miles north-east of Bury), once the property of the Bacons, was purchased by lord chief justice Holt, and is now enjoyed by his descendant, Rowland Holt, esq; who has, within a few years, re-built the house, and embellished the park in such a manner, as to render this one of the most beautiful spots in the county. In the evidence room, I am informed, are preserved many very valuable MSS. which, with the description of the fine church and its monuments, would render the history of the parish exceedingly curious and interesting.

 C H A P. IV.

OF AGRICULTURE, &c.

WERE I in possession of more materials than I am for this head, the use of them would probably be superfluous, as they could scarcely differ from those of which I have already availed myself at Hawsted.

It must not, however, be omitted, that *Hardwick Heath* has for some years been famous for one of the finest flocks of sheep in the county. It consists of about 250 ewes, 50 *Hoggets*¹, and 5 rams², the latter of which are found amply sufficient for continuing a strong and full-sized race. They are horned, and have black faces and legs. This is noticed, as the variety of sheep in different parts of the kingdom is a circumstance not a little remarkable.

I have questioned the farmer (who is himself a very skilful shepherd), by what management he has brought his flock to its present degree of perfection: and he informs me, that his first object was to procure some of the best rams which the county produced³. And as a state of perfect strength and growth is,

¹ Lambs kept for the recruit of the flock, and so called till after their first shearing, which, in this flock, is, when they are about 16 months old. Their first fleece is called *Hog-wool*; it is much longer and finer than the succeeding ones, and used for Felt Hats.

² What a significant grin would the shepherd bestow upon me, were I to tell him, from M. Daubenton's "Intruction pour les Bergers," that if he would not enfeeble his rams, nor have his lambs degenerate, he should not assign even to the stoutest of the former more than 20 ewes at most a piece!

³ This was judicious. Palladius gives the same direction relative to oxen; "melius autem boves de vicinis locis comparabis, quod nulla soli aut aëris varietate tententur." Martius, tit. xi.

through all animated nature, the most proper for bringing forth a vigorous offspring, he never willingly suffers his hoggets to have lambs¹; nor often keeps his ewes after they are five years old; for though these latter would sometimes breed till twice that age, yet, after five years, their produce becomes gradually more and more weak and diminutive. The rams begin to decline in vigour, after four or five years of age, and are then discharged from their service. But all this care would avail nothing, if he did not most cautiously avoid overstocking his sheep-walk. His neighbours have frequently endeavoured to persuade him to increase his number; but he has always declined it, being confident, that his sheep would thereby soon dwindle and degenerate, and himself become a loser². A sheep is a most voracious animal; yet extremely choice and delicate in its food; to bring it therefore to its greatest perfection, and to keep it to that pitch, it must have frequent and even continual shifts of pasture. To this every possible attention is here paid: and the careful husbandry of turneps, in the spring, before-mentioned, is not omitted.

When bleeding is necessary, it is usually performed at one corner of the eye; sometimes at the upper part of the tail; and sometimes the ear is cut³.

¹ Varro carries this point to a great length; “neque pati oportet minores quam trimas saliri, quod neque natum ex his idoneum est, nec non ipsæ sunt etiam deteriores.” L. II. C. 2.

² Good sense is the same in all ages. This is the very doctrine laid down by Columella seventeen centuries ago: “Omni autem pecudi larga præbenda sunt alimenta. Nam vel exiguus numerus, cum pabulo satiatur, plus domino reddit, quam maximus grex, si fenderit penuriam.” L. VII. C. 3. Farmers are not, in general, sufficiently attentive to this maxim.

³ Two of these operations are mentioned by Columella; “nos etiam sub oculis, et de auribus, sanguinem detrahimus.” L. VII. C. 5. The Virgilian method was,

— — — — — inter

Ima ferire pedis salientem sanguine venam. Georg. III. 459.

It is contrived, that the lambs fall about the end of February; and in August following they are sold at Ipswich fair for about 13l. a score. They are thence conveyed to the rich pastures in Essex; and the year after often pass in the London markets for three years old mutton.

This was one of the three flocks in the environs of Bury that belonged to the abbot; and consisted, before the Dissolution, and indeed for some time afterwards, entirely of wethers, as appears by a Computus for *Hencote*¹ near Bury, 32 Henry VIII. now in the Exchequer², in which the farmer accounts for 10l. 5s. rent for the said farm; of which 35s. were for the pasturage of three hundred and a half of sheep, vocat. *lex wethers*, which used to be kept for the household of the monastery.

Saffron was formerly cultivated not far from the house; for in the description of the bounds of the sheep-walk in 1581, mention is made of the *Safforne Pane*. This vegetable was anciently in great repute both in the kitchen, and apothecary's shop: but all-ruling fashion, which decrees that what was wholesome, and even palatable, in one century, shall not be so in another, has now almost banished it from both³.

¹ This name is now almost entirely swallowed up in that of Hardwick, the two estates having been let together ever since 1649. It comprehends the unenclosed part of the present farm, which lies within the bounds of Bury, and was granted to Sir William Drury by Queen Mary.

² For a copy of this, and for several other favours, I am indebted to Craven Ord, Esq. Many gentlemen in office display a liberality of communication, without which, works like the present could with difficulty be conducted. I have already mentioned another instance at p. 14. and cannot pardon myself if I omit a third, John Charles Brooke, Esq; Somerset Herald.

³ See p. 190.

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MDCCXC.

Concerning the Almes-houſe in ELMSWELL*, given by Sir ROBERT GARDENER, of Pakenham, in the county of Suffolk, knight,
Anno Dom. 1614.

A true Coppy of the Indenture followeth:

THIS INDENTURE Tripartite, made the firſt daie of January, in the yeer of the raigne of our moſt gracious Sovereigne Lord James, by the grace of God, of England, France, and Ireland, King, Defender of the Faith, &c. the twelfth, and of Scotland the eight and fortieth: betweene Sir Robert Gardener, of Pakenham, in the county of Suffolk, knight, of the firſt partie; and John Hart, Robert Buckle, and John Maſh, of Elmswell, in the ſaid county, yeomen, of the ſecond partie; and Edward Croſſe, Richard Ruſſell, and John Raignold, of Wolpett, in the ſaid county, yeomen, of the third partie: witneſſeth, That whereas the ſaid Sir Robert Gardener hath, out of his charitable devotion and chriſtian zeale and care, and at his only proper coſts and charges, founded, erected, and ſet up, within the mannor and lordſhip of Elmswell, within the ſaid county of Suffolk, one convenient Almes-houſe, conteyning five ſeverall roomes, houſes, or chambers, and ſett and placed the ſame in and upon one parcell or peece of ground near unto the eaſt end of the church or church-yard of Elmswell aforeſaid; and hath alſo assigned, limitted, and appointed to everie of the ſaid five ſeverall roomes, houſes, or chambers, a convenient parcell of ground for a garden plott, and a yard to ſet wood, and for other neceſſary uſes, in all conteyning, by eſtimation, neare about half an acre of ground; and hath placed in each or every of four of the roomes one poore aged widdow woman: and in the fiſt, being ſomwhat greater then the reſt, two poore aged women, likewise widdows; which ſayd almes-houſe the ſaid Sir Robert Gardener hath ſeated and placed neare unto the pariſh church of Elmswell aforeſaid, to the intent that the ſaid poore aged women during their naturall lives, and all ſuch as ſhould ſucceed them, and now or heerafter placed, or to be placed, in the ſaid houſe, might the better attend the ſervice of Almighty God. And that, and for a remembrance by whom and at whoſe charges the ſaid houſe was builded and erected, the ſaid Sir Robert Gardener doth by theſe preſents ordaine, lymit, and appointe, that the ſame houſe, roomes, and chambers, by him ſo builded, with the before remembred ſeverall parcells of ground, by him ſo assigned to everie of the ſame, ſhall be named and called, “Sir Robert Gardener his Almes-houſe.” And ſo for ever to be called, and for ever heerafter uſed, employed, and continued for an Almes-houſe, for the habitation, dwelling, eaſe, and uſe, of fixe poore aged

* Extracted from a book in the poſſeſſion of Mr. Hodgkin, the preſent rector of Elmswell, intituled, “An Accompt Booke of the Moneys payd to the poore Women in the Almes-houſe in Elmswell, ſince the Death of Gardener Webbe, Eſq; who payd the poore Widdows in the Alms-houſe duringe his life. But the Feoffees havinge now the truſt ſince in their hands, they thinke it neceſſarie to have an Accompt ready to anſwer all objections which may be made againſt them.”

women, being and continuing widdows. And to bee, from time to time, indifferently, without partiality or affection, chosen and elected out of the inhabitants of the said townes and parishes of Elmswell and Wolpett aforesaid, according to certaine ordinances, limmitations, and appointments, of the sayd Sir Robert Gardener, under his hand subscribed, and unto the severall parties of these Indentures affyled and annexed; and that the heires and assignes of the sayd Sir Robert, who shall succeed him as inheritors or owners of the mansion-house of the said mannor of Elmswell aforesaid, at his and their costs and charges, shall, from time to time, ever heerafter, maintaine, uphold, and keepe, the sayd house and houses, so by him built and erected, in good and sufficient reparations, as need and occasion shall require. And the sayd Sir Robert Gardener doth, by these presents, ordaine, establish, and appointe, That the said John Harte, Robert Buckle, John Marsh, Edward Crosse, Richard Russell, and John Raignold, shall, after the death of the said Sir Robert, be Governours of the said Almes-house, and of other the premisses. And, from time to time, after his decease, together with the new ministers of the severall parishes of Elmswell and Wolpett, and of their successors, with the consent and goodliking of such as from time to time shall be owners and inheritors of the mansion-house of Elmswell aforesaid, to have the nomination, placing, election, and power of displacing of the same poore women, which, from time to time, shall be chosen and preferred to any place in the same almes-house, by and under the lawes, rules, and ordinances, by the said Sir Robert ordained, established, and appointed, and to these presents affyled and annexed, as before remembred. And the said Sir Robert Gardener doth also by these presents ordaine, limitt, and appoint, that as the before-named poore widdow women, or any of them, now placed or heerafter to be placed in the sayd house, shall fortune to die and depart this life, or be displaced for disobeying or not performing the orders and rules, or any of them before remembred, that then, from time to time, after the decease of the said Sir Robert Gardener, for ever heerafter, within tenne days next after the decease or displacing of everie or any of the said poore aged women, it shall be lawfull, and so the said Sir Robert doth ordaine and appoint, that such of the three feoffees, or grantees, and governours of the towne and parish out of which the partie so dying or offending was formerly elected and chosen, for the greater part of them surviving, and to their successors, with consent as aforesaid, from time to time, to name and appoint out of the towne or parish from whence the said poore women, or any of them, so dying or displaced, were formerly elected and chosen, to elect and choose out of the same parish one other poore aged woman of like condition and quallity as the rest not deceased, but remaining, be of: and she or they so newly elected to have, injoye, and receive such and like allowance yeerly as the rest, for her or their mayntaynance and releife, as in these presents after is limmited, granted, and appointed, and under such the ordinances, rules, and orders, as the said Sir Robert doth and hath established and declared in the said schedule to these presents annexed and affyled, and before remembred. And for a convenient habitation, and a yeerly supportation, maintaynance, and releife, of everie of the said fixe poore women now placed, and heerafter to be placed, in the same almes-house; the said Sir Robert Gardener doth, by these presents, give, grant, and convey, not only the house so built as aforesaid, with the ground, and other the premisses, before remembred, and

for such other intents as are before limmited, mentioned, and appointed; but doth also grant, limmitt, and appointe, yearly, to every of the said poore women, three pounds and tenne shillings, amountinge weekly to the sune of sixteen pence, to every of them: and monthly for ever to be paid unto everie of them. And that everie of them to have yearly one load of one bond woode, good fire-woode, to be made up for firinge, and to be taken out of or upon his mannor of Elmswell; and to be yearly carried and delivered at the said almes-house in Elmswell aforesaid, by such as shall be by course of law, or otherwise, now or hereafter nominated and appointed, to inheritt, or succeed as inheritors or owners of his mansion-house of Elmswell aforesaid. And also that every of the said six poor women shall yearly, for ever, have delivered unto every of them, in, near, or upon, the feast daie of All Saints, called Hallymas-daye, one gowne, readie made, of course blew cloth, or of stufle of like nature, and of value about five pounds. And for the better provision, supportation, mayntaynance, and continuance of the said almes-houses, and sixe poore women in the said almes-houses now placed, or to bee so placed, for ever, accordinge to the purpose, lymitation, and intention, declared as aforesaid; and *for sure and true payment of the said sumes* so severally granted and lymited as aforesaid, and in performance of such intended and mentioned purposes, the said Sir Robert Gardener, out of his godly zeale and christian charitie, doth by these presents further give and grant unto the said John Harte, Robert Buckle, John Marsh, Edward Crosse, Richard Russell, and John Raignold, one annuall and yeerlie rent of *sixteene pounds* of lawfull English money, to be issuinge, goinge out, perceived, and taken, of, in, and out of, all such his lands, tenements, and hereditaments, situate, lyinge, and being within the parish of *Thelnetbam*, or in any other parish neere or next adjoyninge, being in the county of Suffolk, and lately purchased of Robert Smyth and William his brother, sonns to one Thomas Smyth their late father, deceased, as by conveyance appeareth; and in, and out of, every parcell thereof, with their and everie of their appurtenances; and to be payd yeerlie, at the Feasts of the Annunciation of the Blessed Lady the Virgin Marie; and at the Feast of St. Michaell the Archangell; by even and equall portions; the first payment to be made and beginne at such of the same Feasts as shall first happen to come next after the decease of the said Sir Robert. And also, to continue the charitable purposes aforesaid, the said Sir Robert Gardener doth further, by these presents, give and grant unto the said John Harte, Robert Buckle, John Marsh, Edward Crosse, Richard Russell, and John Raignold, one annuall and yearly rent of *tenne pounds*, to be issuinge out, perceived, and taken out, of his mannors of Elmswell and Wolpett, and in and out of everie part of them, with their appurtenances; to have and to hold the said house, with the premisses and appurtenances; and to have and to hold, take, injoye, and perceive, the said severall annuall and yeerlie rents of *sixteene pounds*, and *tenne pounds*, unto the said John Harte, Robert Buckle, John Marsh, Edward Crosse, Richard Russell, and John Raignold, their heires, successors, and assignes, to and for the intents and uses aforesaid, for ever. And if it shall happen the said yeerlie rents of *sixteene pounds*, and *tenne pounds*, to be behinde and unpaid by the space of twentie daies next after either of the said feast daies before limmited for payment thereof, that then it shall and may be lawfull to and for the said John Harte, Robert Buckle,

John Marth, Edward Crosse, Richard Russell, and John Raignold, or any of them, or any of their heires, successors, or assignes, interested in the said yeerlie rents, accordinge to the true meaninge of these presents, to enter into the same mannors, and other the premisses, out of which the same severall annuall and yearlie rents of sixtene pounds, and tenne pounds, are appointed and limmited to be issuinge and paid, and into any part or parcell thereof, to enter and distraine upon the severall places so severallie charged as aforesaid, for such rents, as out of the place charged shall be behinde and unpaid, and the distresse and distresses there, from time to time, had and taken, to leade, drive awaye, detaine, and impound, untill satisfaction shall be had and made of the said annuall and yearly rents so being unpaid as aforesaid, and by these presents granted, and of everie part thereof, with the arrearages. And the said Sir Robert doth, by these presents, further grant, for him, his heirs and assignes, That if the said owners or inheritors of the mansion, or mannor-house, of Elmfwell aforesaid, shall not make up, and carrie the said fixe load of wood, as before is limmited, that then it shall and may be lawfull to and for the said John Harte, Robert Buckle, John Marth, Edward Crosse, Richard Russell, and John Raignold, and the furvivors of them, their heires and successors, yearly, for ever, to cutt downe, make, and carry awaye, in seasonable time and times of the year, the said fixe load of good and seasonable one bond firewood, named and specified as aforesaid, in and upon any of the grounds and lands of the mannor of Elmfwell aforesaid, at and in any place, at their will and pleasure, to be cut downe, made, carried, delivered, and imployed, for the use of the said poore women, at the only costs and charges of such the said inheritor or inheritors, owner or owners, of the said mansion, or mannor-house, aforesaid. And the said Sir Robert Gardener doth, by these presents, ordaine, establish, and appoint, that when and as often as foure of the said feoffees and grantees before named shall decease and be dead, then the other two survivinge shall, from time to time, assigne, conveye, and grant over, not only the said almes-house, with the appurtenances, but also the said severall annuall and yearly rents so granted by these presents, unto foure other of the most substantiall and honest men, being freeholders, equally of and out of the said parishes of Elmfwell and Wolpett aforesaid, by consent and good likinge of the foresaid ministers of Elmfwell and Wolpett aforesaid, and by advice of learned counsell, to have and to hold, to them and their heires, to the use of the said new named feoffees or grantees, and of the other two then survivinge, and of their heirs and successors, to and for the use, purpose, and intents before mentioned and remembred; which said foure persons, together with the said other two survivinge, shal be governours of the said almes-house; and they, with the consent of the said ministers for the time being, or the more part of them, with consent as afore-mentioned, to have the election, placinge, and displacinge, of the fixe said poore women, and every of them, which shall from time to time bee preferred and placed in the said almes-house, by and under the rules and ordinances by the said Sir Robert ordained and established, and from time to time to be affyled and annexed to the said new conveyances, which shall be so made as unto these. And that from time to time, as often as any foure of them shall fortune to decease and depart this present life, that then alike a new grant and conveyance, with like affylinge and annexinge of the ordinances aforesaid, to be made and executed in forme aforesaid, of the said almes-house, and appurtenances,

nances, and of the said annuall and yearly rents, to other foure of the like most substantiall freeholders of the parishes and townes aforesaid, and in forme aforesaid; and so to be renewed and continued, from time to time, for ever, to the uses, limitations, and intents, before mentioned. And the said persons, from time to time so to be named, to be interested in the said house, with the appurtenances, and of the said annuall and yearly rents, and to be governours of the said almes house, and of the persons so placed, together with the said ministers, and inheritors or owners, afore-mentioned, and to have the placing and displacing of the said poore women, and of every of them, from time to time, by and under the laws, rules, and ordinances, before made and remembred. And lastly, the said Sir Robert Gardener doth, by these presents, grant, by him, and his heires and assignes, that for further and more better assurance that the said severall grants of the said severall rents may have continuance to the uses limmited, that if it shall heerafter by any lawfull eviction of the premisses before charged, or of any part thereof, or suspension of the said rents, or any part thereof, so as the said rents may not be paide and continued accordinge to the former intentions, that then and from thenceforth it shall and may be lawfull to the said John Harte, Robert Buckle, John Marsh, Edward Crosse, Richard Russell, and John Raignolds, and to their heires, successors, and assignes, before named, to enter and distraine in any other of the lands of the said Sir Robert not before charged, for so much of the said rents, as by reason of such eviction or suspension may not be recovered, and so longe as the same shall continue; any thing before mentioned notwithstanding.

In witnesse whereof, unto thone part of these present Indentures, with the said John Harte, Robert Buckle, John Marsh, Edward Crosse, Richard Russell, and John Raignolds, remayning, the said Robert Gardener hath sett his hand and seale; unto the other part, remayning with the said Sir Robert, the said John Harte, Robert Buckle, John Marsh, Edward Crosse, Richard Russell, and John Raignolds, have sett their hands and seals, the day and year first above written.

Sealed and delivered, in the presence of

William Webbe, Edward Swallow, Giles Bougen.

ORDINANCES and Rules establisshed, ordained, and appointed, by Sir Robert Gardener, Knight, for and touching the government of the poore people now placed, and hereafter to be placed, in the almes-house in Elmeswell, in the county of Suffolke, now by him newly founded, and by him erected, this first day of January, Anno Domini 1614.

Imprimis, The said Sir Robert Gardener doth establissh and appoint, that in the said house shall continuallie be placed fixe poore women, widdows, of the severall parishes of the said Elmeswell and of Wolpet; within the said countie; viz. three out of either parish allwayes to continue, and alwayes to be elected and chosen by the feoffees and governors of the said almes house, in the Indentures herunto affyled and annexed named and appointed, with allways the consent and allowance as well of the ministers or parsons of the said severall parishes for the time being, as with consent and good liking of the inheritors of the mannor-house of Elmeswell,

well, when he, she, or they, shall be, at such election, of full age, always placing three out of either parish, in manner and forme hereafter to be placed, removed, and changed.

Item, The said poore women so to be elected to be such as, at the time of such election and choice, shall be accompted and reputed to have lived soberly, chastly, honestly, and religiously, and to be aged threescore years, or neere the same, if such may at the time of such election be in the said severall parishes found, and three years to be dwelling in the parish out of which three is to be chosen. And if noe such poore women, widdows, and of such age, or not quallyfied as before is lymited and appoiated, may at the time of such election be found, then such election and nomination to be allways made of such poore, lame, impotent persons, or persons diseased, or sickly, being women unmarried, and quallyfied as before mentioned, and there to have dwelt the time and space aforesaid.

Item, It is further ordayned and established by the founder aforesamed, that none of the said women, so to be named or chosen, shall be a common scolder, drunkard, brawler, incontinent of life, a barberour of rogues, theeves, or idle persons, and such like, or usuall hedge breaker, or to enterraine or lodge any person or persons whomsoever in their chamber in the night season, or to marrie, or contracte marriage with any.

Item, It is further established and ordayned, by the founder aforesaid, that the said women, and every of them, shall repaire upon the sabbath-days to the church of Elmswell, and there to remaine and continue, orderly and decently, during the time of preaching and divine service there to be used; and further, twice in the week days to repaire to the said church, and there to continue the time of preaching and ordinarie prayer, if any shall be there used; if none, or not used, then thither twice in the said week to resort, and there to continue in prayer by the space of half an houre at the least, and at such days and times in the week as by the minister of Elmswell for the time being shal be appointed, if sicknes and other just cause of lawfull absence shall not occasion the contrarie; which cause of sicknes, and other just occasion, to be allowed by the said minister.

Item, That the said poore women, and every of them, shall, from time to time, maintaine and keep their severall chambers, with their gardens, walkes, and ground, wherein from time to time they shall be placed, cleane, whoosome, and sweet; and not to begge, or challenge charitie of any.

Item, It is ordayned and established, by the said founder, that if any of the said poore women, now placed, or hereafter to be placed, as aforesaid, or any of them, shall, in life of the said founder, or after his decease, be found guiltie of any of the aforesamed offences or defaults, and shall not observe and performe all and singular the aforesaid rules and ordinances, and every of them before mentioned, according to the true meaning of them, and thereof and therein shall be by the said founder, in his lifetime, or after his decease, by his feoffees and governours before-named, and of their successors, or by the greater part of them, with the consent of the ministers or parsons, and inheritors of the said manor-house of Elmswell, before-named, found guiltie, and so by them censured and adjudged, that then it shall and may be lawfull, to and for the said feoffees and governours, or the greater part of them, together with the said ministers and inheritors before-mentioned, from time to time, to remove and put out any of the partys so offending, and by them so
adjudged,

adjudged, for her or their places, entertainments, and allowances; and in place of the party or parties so removed, then such of the three feoffees and governours of the town or parish out of which the partie so dying or offending was formerly chosen, and with consent as aforementioned, make election within the said parish of some such other widdow or widdows, or other persons of such like quallity, nature, and forme, as aforesaid, and after such placing, she to have and receive the like allowances and entertainments as the person so removed had, or ought to have had, so longe as shee shall perform and observe the articles and ordinances before-mentioned, and prescribed to be performed.

Item, Lastly, It is ordered and appointed, that one part of the Indenture, being tripartite, shall continually remaine in the common church-chest of the parish church of Elmswell, one other part in the common church-chest of the parish church of Wolpett, there to be locked, and safely, from time to time, to be preserved, for the benefitt and use in the said Indentures mentioned. And the other third part allways to continue and remain with him, her, or them, as shall, from time to time, be inheritors of the mansion-houfe of the mannor of Elmswell aforesaid, to be preserved to such uses and intents as are mentioned in the same Indentures, or in these present articles. And whereas it appeareth, by the accompt of the sums given, that about twentie shillings, yearly, overplus will remain, all employments mentioned in the Indentures performed, I doe will, the governors with the advice of the ministers mentioned, shall yearly pay the sume proportionable amongst the said poore women, for their better maintainance, six days before the Nativity of Christ.

NOW whereas Gardener Webbe, Esquire, late of Elmswell, deceased, nephew to the said Sir Robert Gardener, became owner and inheritor (by the gift and devise of the said Sir Robert presently after his decease) of the mansion, or mannor-houfe, of Elmswell aforesaid, with all the lands and appurtenances thereunto belonging; as also all other his lands in the county of Suffolk, out of which the annuall and yearly rents of sixteen pounds and tenn pounds were appointed by the said Sir Robert to be issuing and paid, for the reliefe and mayntainance of the poore women in the almes-houfe in Elmswell aforesaid: the said Gardener Webbe did, yearly, during his life, pay the moneys due to the said poore women, and buy them gownes, and laye in the woode given them for firing, according to the first erection in the Indentures mentioned and declared; so that the feoffees did acquiesce, and, during his life, had not any accompt to make concerning the trust reposed in them.

Gardener Webbe, late of Elmswell, Esquire, was buried the seventene day of March, in the year of our Lord one thousand six hundred sixty-eight.

Given under the hand of Mr. Edward Fraunces, Rector of Elmswell.

SIR Robert Gardener, Knight, gave, by his last will and testament, to the poore women in the almes-house in Elmswell, an hundred pounds, to be layd out in lands, for their better maintainance, exprest in these words, as followeth :

Item, I will, that whereas I have, by conveyance, conveyed certaine charges or annualties out of certaine my lands and hereditaments lying in the county of Suffolk, for the supportation and better maintainance of a certaine almes-house neere unto the church of Elmswell, in the said county, to the use and reliefe of certaine poore women, now and hereafter to be resident, which are granted to certaine feoffees, or parties, in trust, inhabiting and to inhabite within the parishes of Elmswell and Wolpett ; and now finding or suspecting, by some change or alteration of times, the lands so charged with the said rents or annualties may happen to be of so sman value, and of lesse in yearlie profit as may answer and satisfie the said yearlie charge so granted, whereby the good and charitable intended purpose may be defrauded or diminished ; I therefore, for prevention thereof, doe will and require my executors, and survivours of them, within two years next after my decease, to bestow one hundred pounds, to purchase either lands, annualties, or rents ; and the same, so to be purchased, to convey and assure, by good counsell, unto such of my said feoffees or parties, so trusted as aforesaid, and to their survivors, for the full maintainance and supportation of the said so charitable a purpose of erection : and to be conveyed to such persons, and under such provisoes, limitations, and considerations, as in Indentures concerning the first erection are mentioned and declared.

Dated the first of November, in the sixteenth year of the raigh of our Sovereign Lord King James, &c.

Examined by mee JOHN FISKE.

NOW the Executors of the said Sir Robert Gardener (according to the time limmited in the said will) did pay the said hundred pounds ; and lands were purchased in Combes, in the county of Suffolke, to the value of five pounds five shillings per annum ; and were settled and conveyed upon feoffees, in trust, for the benefitt and better maintaynance of the poore women in the almes-house in Elmswell, according to the first erection mentioned in the will of the said Sir Robert Gardener, deceased. Yet, nevertheless, the said Gardener Webbe did take the rents and profitts of the said land, and did claim it as his due, in regard the other rents held good ; and pretended to have a decree in Chancery to that purpose ; and so the poore women had no benefit of the same during his life. But after his death, the feoffees then living did commence a suite ; and the busines being referred to counsell, it was yielded to be for the better maintaynance of the poore women in the almes-house for ever.

The feoffees then living at the time of the death of the said Gardener Webbe for Combes land, were these whose names are heerunder written :

John Fiske, of Ratleden, Gent.

Mr. William Fiske of Norton.

Mr. Thomas Fiske of Elmswell.

Thomas Hudson.

Gardener Ketleborough, of Elmswell, Gent. beganne the suite, with the consent of the feoffees.

AN accompt of the feoffees for the poore women in the almes-house in Elmeswell, for the moneys given them by Sir Robert Gardener, knight; as also for their gownes and firewoode, from the twentieth daye of March, in the yeere of our Lord one thousand six hundred sixty and nine.

The names of the feoffees now living, for Elmeswell and Wolpett, 1673.

In Elmeswell.

Mr. Thomas Fiske.
Mr. Robert Fiske.
Mr. William Rose.
John Thompson.

In Wolpett.

John Houghton, Gent.
Edward Croffe, sen.
John Croffe.

Combes Land feoffees:

John Fiske, Gent.
Mr. William Fiske.
Mr. Thomas Fiske.

Combes Land feoffees in Wolpett.

Thomas Hudson, sen.

The names of the six poore widdowes in the almes-house in Elmeswell, 1673.

Out of Elmeswell,

Mary Collins.
Anne Woodes.
Rose Steggell.

Out of Wolpett,

Martha Smyth.
Anne Jackson.
Margaret Snellinge.

After the death of Gardener Webbe, Esquire, Mr. Thomas Fiske of Elmeswell, one of the feoffees, payed the poore women their moneys, with the consent of the rest, and gave up an accompt to the feoffees the first of June, one thousand six hundred seaventie and four; and cleared all to Alady, 1674, for the first gift of Sir Robert Gardener, knight.

A N Accompt of Combes Land, since the death of Gardener Webbe, Esquire.

The aforeseyd Thomas Fiske of Elmeswell, the first daye of June 1674, gave in his accompt to the feoffees at the parish church in Elmeswell; and there did appeare to be in his hands, at Michaelmas one thousand six hundred seaventie and three, the sume of five pounds and two shillings, which hee doth affirme to be short of the expences and trouble he had about the last suite for Combes Land, which is to be determined and concluded at our next meetinge. And there is a yeeres rent, from Michaelmas 1672 to Michaelmas 1673, still due from the old tenant.

C

Paid

Paid to the poore widdowes one pound, and to the rest of the poore of Elmeswell eleven shillings.	}	Received of Everfon in parte of the old ren Set off for moneths paires for that yeare	<table border="0"> <tr> <td style="text-align: right;">l.</td> <td style="text-align: right;">s.</td> <td style="text-align: right;">d.</td> </tr> <tr> <td style="text-align: right;">1</td> <td style="text-align: right;">11</td> <td style="text-align: right;">0</td> </tr> <tr> <td style="text-align: right;">0</td> <td style="text-align: right;">9</td> <td style="text-align: right;">0</td> </tr> </table>	l.	s.	d.	1	11	0	0	9	0
l.	s.	d.										
1	11	0										
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Mr. William Fiske, of Hardings, was at our meeting appointed by the rest of the feoffees, to take the rent of Combes Land, and to paye it, accordinge to their direction, to the poore widdowes in the almes-house, beginning at Michaelmas 1673.

Now in regard the feoffees have not taken an accompt yeerly, whereby they find many inconveniencies, they have entred into articles of agreement amongst themselves, to prevent miscarriages for the future; which are as followeth:

AT a meetinge, this first daie of June, in the yeere of our Lord 1674, it is agreed by the feoffees of the almes-house in Elmeswell, at the parish church of Elmeswell aforesaid, as followeth:

1. Imprimis, It is agreed, that if the feoffees of the almes-house shall neglect to meete at the parish church of Elmeswell every yeere; upon the five and twentieth daye of March (commonly called Alady daye) or within fourteenth dayes after, to make an accompt how they have payd the moneys given by the aforesaid Sir Robert Gardener, knight, deceased, to the poore widdowes for the yeere past, That then the ministers of Elmeswell and Wolpett, and their successors, from time to time, to examine the poore widdows in the almes-house, whether they have had their moneys payd accordinge to the order and appointment of the said Sir Robert Gardener; and whether they have had their gownes and firewoode as formerly. And if the said ministers, or their successors, shall finde that the feoffees have faithfully performed their trust, then to enter an accompt into this booke kept for that purpose, and to subscribe their owne names as witnesses to the same; and so to proceed in this manner.

2. Secondly, It is agreed also, that if the said ministers, or their successors, find a neglect of the trust reposed in the said feoffees, then to inquire out the parties; and if, upon notice given them, they doe neglect to paye the moneys due to the poore widdows the space of seaven days after the said notice, that then the said ministers of Elmeswell and Wolpett, or either of them, or their successors, shall make complainte thereof to the next justice of the peace within that hundred, or one or two of the commissioners for charitable uses within the county, appointed for that purpose, that a speedy remydie may be obtayned, and the accompt in this book kept perfect, and the intentions of the donor not frustrated.

3. Thirdly, It is further agreed betwixt us, that whereas five pounds is yearly given to buy fixe gownes for the poore widdowes, that the feoffee, or feoffees, that shall buy them, shall bring a note, in writinge, under the hand of the wollandraper, on partie of whom the cloath was bought, of the price of it, and of the charge of makinge of them, that in case there be any overplus of money spare, that it may be equally divided betwixt the sayd poore widdowes, that the said ministers, and their successors, may have full satisfaction before they sett their hands to the booke.

4. Fourthly, It is further agreed by the said feoffees. That whereas Sir Robert Gardener, knight, deceased, did, by his last wille and testament, give and bequeath

an hundred pounds, to be payd by his executors, to purchase land for the benefit of the poore widdowes in the almes-house, to be settled upon feoffees, in trust, according to the first erection, for a better maintaynance for them; wherewith five pounds and five shillings per annum was purchased, in lands in Colmbes, in the county of Suffolk, to that purpose. Now wee the sayd feoffees, who are concerned to dispose of the sayd five pounds and five shillings per annum, doe heerby agree together, and give our consents, that the feoffee or feoffees that shal be appointed to receive the rent of the sayd Combes Land shal be allowed to paye out of the said rent, yearly, the sune of foure pounds, to be payd monthly; that is to say, sixe shillings per month to the said poore widdowes. And that feoffee that receives the same, to bring in a bille, in writinge, under the tenant's hand, of the taxes and other charges layd out for that yeere; and what overplus shall remaine due to the feoffees of one pound and five shillings, to be payd (as neede shall require) to the sickly, and more aged, and bedred women.

5. Fifthly, and lastly, It is agreed by the said feoffees, that at the death of any of the poore widdowes in the almes-house, that the time of her death be entred into this booke; as also the time of the widdowes cominge in, that shall succeed her deceased, that it may appeare they have not exceeded the time limited for their choice, being but tenne dayes.

In witnesse that this is the agreement made betwixt us, wee have hereunto sett our hands, the daye and year abovesaid.

John Fiske, sen.
Tho. Fiske.
Robert Fiske.
John Tompson.
William Fiske.
Edward Crosse.
Roger Houghton.

Wee the ministers of Elmeswell and Wolpett doe give our consents to the aforesayd trust reposed in us by the aforesaid feoffees; and doe promise, during our time, a faithfull performance thereof.

In witnesse whereof wee have hereunto sett our hands, this first of June, 1674,
Edward Fraunces, Rector of Elmeswell.
Thomas Fyson, Rector of Wolpett.

Thus far these extracts have been collated with a MS. in the possession of Mr. Edward Smith of Woolpit, at the end of which is this memorandum:

"N. B. The foregoing is a true copy of part of a book relating to Elmeswell almes-house, in the hands of the rector of that parish, as it was taken by me John Major, and afterwards perused and approved by the said Rector, the Rev. Mr. John Casborne, anno 1735, for the use of the parish of Woolpit."

FROM 1674 to nearly the present time, 1786, the accompts and proceedings of the feoffees have been regularly entered, and audited by the rectors of Elmefwell and Woolpit; of whom the regular fucceffion here follows:

<i>Rectors of Elmefwell.</i>		<i>Rectors of Woolpit.</i>	
Edward Francis, died in	1679	Thomas Tyfon, died	1678
Francis Browne,	1725	Francis Cockfedge,	
Samuel Gall,	1728	John Boldero,	
John Cosborne,	1766	Charles Mandevile,	
Joseph Hodgkin, living	1786	Thomas Cobbold, living	1786

A few extracts from the proceedings of the feoffees may ferve to illustrate their punctuality, and the history of the foundation.

Novemb. 11, 1690.

Memorand. Comb Land is now let to one Charles Bennet, for the yearly rent of five pounds; and there is halfe a year's rent in his hands, which was due at Michaelmas laft paft. And there was then twenty fhillings paid to the churchwarden of Elmefwell for their proportion in Combe lands, which was due at Michaelmas laft paft. And alfo all accounts relating to the alms-houfe examined, and made even to the date hereof; by us

Fra. Cockfedge, Rector of Woolpitt.

Fran. Browne, Rector de Elmefwell.

May the 11th, 1738, Mr. Boldero received, of Mr. Henry Cockfedge of Thetford, two years interest of the 25^l. in his hands, due the 16th of December laft, being money belonging to the poor widows in the alms houfe of Elmefwell; and the 30th instant thirty five fhillings of the faid fum was equally diftributed amongst the faid fix poor widows, and the other fifteen fhillings was pay'd Mr. Cosborne, to reimburse him for payment of the like fum to the fickly widows of the faid houfe, as appeared by his bill delivered in this 30th instant.

In witnefs whereof, we who are here prefent, at a meeting for this purpose, have fet our hands, on the day and year laft written.

John Cosborne, Rector of Elmefwell.

John Boldero, Rector of Woolpit.

John Stockdell,	} Feoffees.
John Baker,	
George Markall,	
George Markall, Junior,	

2^l. 10^s.

N. B. In

N. B. In April, 1740, hop-wood, with some timber, was sold off the Combs estate for 5*l.* 10*s.* and in December following, John Baker, a feoffee, received 1*l.* 7*s.* 6*d.* for the use of the working-poor of Elmeswell, and 2*l.* 2*s.* were distributed to the poor widows of the alms-house, and the remaining 2*l.* 0*s.* 6*d.* were left in Mr. Stockdel's hands of Woolpit, for the further use of the said poor widows.

In witness of the truth of the above premises, we, who are present at a meeting for this purpose, have set our hands, this 20th day of December, 1740.

John Cosborne, Rector of Elmeswell.

John Boldero, Rector of Woolpit.

William Scott, feoffee.

N. B. June 22, 1741. The above remaining two pounds and six-pence were paid by Mr. Stockdel, and the same day distributed to the poor widows of the alms-house; as witness my hand,

John Cosborne, Rector of Elmeswell.

Present also at this distribution

George Markall, }
John Baker, } feoffees.

March 23, 1747. Be it remembered, that Mr. Henry Cockfedge of Thetford, attorney at law, having paid into the hands of the Rev. Mr. Cosborne the principal sum of twenty-five pounds, with all interest due thereon, being two pounds sixteen shillings and three pence, which money belongs to the governors of the alms-house of Elmeswell, in trust, for the poor widows of the said house:

We, who are here present at a meeting for this purpose, do hereby absolutely discharge the said Mr. Henry Cockfedge of all the said principal sum of twenty-five pounds, and interest due thereon; as witness our hands,

John Cosborne, Rector of Elmeswell.
John Boldero, Rector of Woolpit.

William Scott,
John Stockdell
Isaac Parrant,
George Markall,
George Markall, Junior, } feoffees.

April 18, 1748. Be it remembered, that the sum of one pound, eight shillings, and six-pence; of the above two pounds, sixteen shillings, and three-pence, interest money, was allowed and paid the said Rev. Mr. Cosborne, to reimburse him for the like sum laid out and paid by him to the sickly widows of the said alms-house, by order of the said governors; and the remaining sum of one pound, seven shillings, and nine-pence, was, by order of the said feoffees, left in Mr. Cosborne's hands, for a supply of the future wants of the said poor widows, as sickness or other necessities called for the same.

In witness whereof, we, who are here present at a meeting in the parish church of Elmeswell for this purpose, have hereunto set our hands, upon the day and year above written.

Witness,
John Boldero, Rector of Woolpit.
Samuel Howell.

William Scott,
John Stockdell,
Isaac Parrant,
George Markall,
George Markall, Junior. } feoffees.

April

April 18, 1748. Be it remembered, the day and year above written, that the Rev. Mr. John Cosborne, Rector of Elmeswell, has agreed with the governors, or feoffees, of the alms-house of Elmeswell, to permit and let the principal sum of twenty-five pounds*, received of Mr. Henry Cockfedge of Thetford, rest and remain in his hands till otherwise disposed of; he the said Mr. Cosborne paying annually legal interest for the same, and becoming accountable to the said governors, or feoffees.

In witness whereof, we who are here present, at a meeting for this purpose, have set our hands,

Witness,

John Cosborne, Rector of Elmeswell.
John Boldero, Rector of Woolpit.
Samuel Howell.

William Scott, John Stockdell, Isaac Parrant, George Markall, George Markall, Junior.	}	feoffees.
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April 8, 1749. Be it remembered, the day and year above written, that John Green has agreed with the feoffees for Combs Lands for a timber tree and hop of the same, and the hop-wood of all the pollard trees as has been formerly cropped or lopped, growing upon the premises in the said Green's occupation, he the said Green paying to the feoffees for the same, upon the 11th day of May next, the sum of three pounds and nine shillings.

In witness whereof the parties to this agreement have hereunto set their hands,
John Green, tenant.

Witnesses to this agreement,

John Cosborne, Rector of Elmeswell.
John Boldero, Rector of Woolpit.
Samuel Howell.

William Scott, John Stockdell, Isaac Parrant, George Markall, George Markall, Junior.	}	feoffees.
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May 16, 1752. Received of Robert Onebye, Esquire, by the hands of the Rev. Mr. Cosborne, seven pounds, and ten shillings, for the use of the six poor widows in Elmeswell alms-house, being the disputed arrear due to the said house, by us

Witness,

John Boldero, Rector of Woolpit.

John Stockdell George Markall, George Markall, Junior.	}	feoffees.
--	---	-----------

N. B. The above money was distributed amongst the six poor widows of the alms-house.

Mem. This book was delivered to me by the widow of George Markall (in whose possession it had been some years), June 2, 1770.

Joseph Hodgkin.

* The interest of this sum is regularly brought to account; and the principal was regularly paid off, by small sums annually, as sickness or the several necessities of the poor women required.

1769, June 8. Received, by Mr Edward Smith, of Mr. Baldwin, for two loads and thirteen feet oak timber, felled from the lands in Combs, belonging to the alms-house in Elmswell, 6l. 2s.

Received per Ditto of Mr. Green, for tops and bark,

4 4

10 6

June 24. Distributed to the six widows, being part of the above ten pounds six shillings,

4 0

J. Hodgkin, Rector of Elmswell.

Edward Smith.

William Jackson.

1770. Sept. 24. Distributed to the six widows the further sum of

3 3

J. Hodgkin.

Edward Smith.

1771. March 26. Distributed as above, the remaining sum of

3 3

J. Hodgkin.

Edward Smith.

£. 10 6

The names of the six poor widows, inhabitants of the alms-house founded by Sir Robert Gardiner, in the parish of Elmeswell, as taken Sept. 24th, 1770.

Elmeswell.

Sufannah Day.

Elizabeth Smith.

Mary Southgate.

Woolpit.

Mary Gibson.

Ann Crofs.

Sarah Baker.

Successors to the alms-house.

1771. April 1. Ann Major, aged 76 years, succeeded Mary Southgate, deceased, in the alms-house, as a parishioner of Elmeswell.

1772. May 10. Mary Burroughs, aged 69 years, succeeded Sufannah Day, deceased, aged (*ut aiunt*) 105 years, as a parishioner of Elmeswell.

Oct. 10. Mary Goodman, aged 63 years, succeeded Mary Gibson, deceased, from Woolpit.

1774. Apr. 5. Oxer, aged years, succeeded Ann Major, resigned, as parishioner of Elmeswell.

August 29. Susan Baker, aged 67 years, succeeded Ann Crofs, deceased, from Woolpit.

1776. May 1. Markall succeeded Elizabeth Smith, deceased, as a parishioner of Elmeswell.

Oct. 16. Mary Baker, aged 76, succeeded Markall, deceased, as a parishioner of Elmeswell.

1777. Aug. 27. Ann Bailey succeeded Susan Baker, deceased, as a parishioner of Woolpit, &c. . . .

1778. March 17. Mary Kemp, aged 76, succeeded Mary Burroughs, deceased, as a parishioner of Elmeswell.

1779. Candler, succeeded Ann Baily, deceased.

The

The memory of the pious founder of this alms-house is preserved by a monument at the east end of the south aisle of Elmfwel church, where he is represented as large as life, reclining his head on his left arm; a book in one hand, his gloves in the other; under him his armour; at his feet his crest, a rhinoceros, which has given birth to a ridiculous story, *that his son* (who is kneeling by him) *was devoured by a wild boar*. The inscription is this:

“ In hope and expectation of a blessed resurrection, here is interred the body of
 “ Sir ROBERT GARDENER, an honourable Knight; who was, in the reign of Queen
 “ Elizabeth, Chief Justice of Ireland eighteen years, and for two years Lord Justice
 “ there: in all which time, such was his integritie in justice, his wisdom and valour
 “ in personal services in the wars against rebellious Tyron, and the Spanish army
 “ besieging Kinsale*, as gained him everlasting love and honour in the kingdom.
 “ And after his returne into England, he was sent by King James into the Isles
 “ of Jernsey and Gernsey; where having settled their estate in peace and good
 “ government, he retired into his native home; and, affecting a more private life,
 “ wholly devoted himself to the good acts of piety, justice, and charitie. He
 “ founded the adjoining alms-house; and gave liberal sums of money to purchase
 “ lands for the relief of the poore in diverse towns for ever.

“ He married three wives: Anne Cordall, Thomasine Barker, and Anne the
 “ widow of John Spring, Esq; son and heir of Sir William Spring, Knt. He had
 “ issue by his first wife WILLIAM, a son of good hope, who died unmarried at the
 “ age of 24 years. His effigies is placed hereby.

“ This noble Knight departed this life Feb. 12, 1619, aged 80 years.

*Solus ille sapiens ac Deo
 carus, qui vivens sedulo
 meditatur opus suum.*

*Qui posteris profit,
 & se vixisse testatur.*

Arms, Three griffons heads erased. Crest, a rhinoceros.

PART of an article† for erecting a tomb for Sir Robert Gardener,
 in Elmfwel Church, in Suffolk.

..... and gracefully as it is in the Plotte and beautifull from
 as direction shall be given, with two pedestalls, inlayed
 with tutch on each side of the arche, as the maner is in the Plott, and on the
 top, for strength; and to adorne the worke is to be two pillasters terme wise, of the
 reddest and richest raunte, and is to be fairely well pullished and glassed, with two
 maskes heads on the freeze thereof, as it is in the Plott. And the spandrells of alla-
 baster. And in it is to be two swellinge rounds of tutche, gracefull, and the cor-
 ners thereof tryangle wise, of tutche, as it is in the Tutche Plotte, to be well pul-
 lished and glassed, with a cherubim in the medle thereof. And a cornishe moulde
 of allabaster on the same. And on the topp of all, on the cornishe, is to be the
 cheife coate of armes, with mantle, helme, sheild, and creast, with deathes heade on
 the topp of all, with a crowne, signifyinge his happye immortalitie. The same

* The rebellious Irish, assisted by the Spaniards, took Kinsale, 1601; but were besieged by Charles Blunt Lord Montjoy, the Lord Deputy, and forced to capitulate, Jan. 2, 1602.

† From an original, penes T. Martin, 1751.

coate of armes to be from outter compas twoe foote and twoe inches, besids the wings and garnishinge, with twoe scutchins or sheilds, to be imb orth of allabaster on each side, as it is in the Plotte, with the impalled matche imb cin. This worke is to be eight foote wide, besids the failes of the moulds, and eightene foot highe and every parte to be well wrought, and of good, and of the best and cheifest forenamed. And shall as well and fairly guild all the nayles, buckells, of his whole suite of armor, and all that needefully belongeth thereto, as holbarts, helme, chape, pomell, or helve of swords. The filletts and nayles of his gauntletts guilte. The end of the pickes guilte; the two epitaphs over the suite of armor, to expresse the mottowe, or meaninge thereof, guilt. The basses, and cappitalls of the pillars here and there, guilt. The budds of the roases in the arche, and the revaylinge about them, guilte, and the face and hands artifizially of the saide Right Worshipfull Sir Robert Gardyner, to be put in fleshy colors, as if he were livinge, and as near as may be to be like to his complection, havor, and simile, with his judge's cappe colored blacke, and his roabe of honor in shewe of scarlett, and his imbrodered cushyon, and the tassells thereof, guilt. And his creast at his feete put into proper colors, and guilt. And soe likewise the garments of his sonne put into proper colors, according as they shall give advice and direction. And his face and hands to be colored fleshye like him, and the tassells and morris worke of his cushion guilte also. All the hayre of the cherubins and hayre of the a scutchins of armes. And

On three black marbles in the chandel.

1. Here lyeth the body of
MARY WEBB, the wife of
GARDINER WEBB, Esq; who died
the 15th day of April,
1659.

2. Here lyeth the body of
GARDINER WEBB, Esquire,
who died the 15th
day of March, 1674.

3. Here lyeth the body
of KATHERINE WEBBE, daugh-
ter of GARDINER WEBBE,
Esq; who died the
30th of March,
1675.

In the body of the church:

Here lieth the body of
HEN. KETTLEBURGH, Gent.
late of Elmeswell; who
died the 18th Novem.
1660, aged 50.

A bras plate, on a flat stone, in the east end of the church, has a merchant's mark. Several others are robbed of their brasses; one of them in particular had a cross fleury.

On the parish chest, 1669.
A. W.

On a small stone is H. H.
1770.

On the septagon font, deeply engraven in large letters, is the word **HEDLE**, and three shells in an escutcheon.

Epitaph in the chancel of St. Mary's church, at Bury.

Here lyeth the body of Mrs. ANNE WEBBE,
daughter of GARDINER WEBBE, Esq. of Elmeswell, in this county,
who departed this life the 15th of March, 1674.

D

A true

A true Terrier of all the glebe lands, messuages, tenements, and portions of the tithes, beionging to the rectory and parish church of Elmeswell, in the county of Suffolk; and diocese of Norwich, and now in the use of Mr. Cosborne, rector there, or his tenant; taken, made, and renewed, according to the old evidences and knowledge of the ancient inhabitants, this 25th day of June, A. D. 1747; and exhibited in the ordinary visitation of the Right Reverend Father in God Thomas Lord Bishop of Norwich, holden at Bury St. Edmund's, in the county aforesaid:

1. The parsonage-house, with an hall, two parlors, kitchen, brewhouse, scullery, and dairy, barn, stable, hay-house, and neat-house, with five acres of ground thereto adjoining, be it more or less.
2. Also one piece of plowed land, lying in East Field, containing by estimation one rood, more or less; the one end thereof abutteth upon the Sand Lane towards the north, and the other head abuts upon the ground of Mr. Burcham towards the south; the one part sides upon the ground of Mr. Burcham towards the west, and the other part sides upon the ground of Sir Robert Smyth towards the east.
3. Also one other piece of plowed land, lying in the same field, containing by estimation half an acre, more or less; the one head abutteth upon the said Sand Lane towards the north, and the other head abutteth upon the ground of the said Mr. Burcham towards the south; the one part sides upon the ground of Mr. Burcham towards the east, and the other part sides upon the ground of Mr. Burcham towards the west.
4. Also one piece of pasture land, lying between the ground of Sir Robert Smyth and the ground of Mr. Burcham, containing by estimation half an acre, more or less; the one head thereof abutteth upon the ground of Sir Robert Smyth towards the east, and the other head thereof abutteth upon the ground of Mr. Burcham towards the west; the one part sides upon the ground of Sir Robert Smyth towards the north, and the other part sides upon the ground of Mr. Burchman towards the south.
5. Also one other piece of plowed land, containing by estimation half an acre, more or less; one head thereof abutteth upon the ground of Sir Robert Smyth towards the west, and the other head thereof abutteth upon the Hundred Way towards the east; the one part sides upon the ground of the said Sir Robert Smyth towards the south, and the other part sides upon the ground of the said Sir Robert Smyth towards the north.
6. Also one other piece of pasture land, inclosed, containing by estimation half an acre, more or less; the one head thereof abutteth upon the ground of Mr. Baldero towards the west, and the other head thereof abutteth upon the Hundred Way towards the east; the one part sides upon the ground of the said Mr. Baldero towards the south, and the other part sides upon the ground of Sir Robert Smyth towards the north.
7. Also one piece of plowed land, containing by estimation half a rood, more or less; the one head thereof abutteth upon the ground of John Stockdell towards the west, and the other head abutteth upon the ground of Sir Robert Smyth towards the east; the one part sides upon the ground and manor of Elmeswell towards the south, the other part sides upon the ground of Isaac Pamment towards the north.
8. Also one piece of meadow land lying near Cock Street, containing by estimation three roods, more or less; the one head abutteth upon the ground of Anne Markall,

Markall, Widow, towards the west, the other head abutteth upon the ground of Sir Robert Smyth towards the east; the one part sides upon the ground of Sir Robert Smyth towards the south, the other part sides upon the ground of George Baron towards the north[†].

9. Also one piece of pasture land, inclosed, lying and bordering upon the bounds of Woolpit, containing by estimation one acre, more or less; the one head thereof abutteth upon the King's High-way, leading from Stowmarket to St. Edmund's Bury, towards the south; the other head abutteth upon the ground of George Baron towards the north, and sides upon the grounds, in both parts, of the said George Baron.

10. Also two arable closes, being inclosed, lying towards Toftock, containing by estimation fourteen acres, more or less; the one head thereof abutteth upon the King's High-way leading from Elmeswell to Bury towards the south, the other head thereof abutteth upon the ground of George Baron in part towards the north, and in part upon the ground of Mr. John Brown; the one part sides upon the ground of Mary Jackson, Widow, towards the east, the other part sides upon the ground of Richard Mofely, Esquire, towards the west.

THERE are no customs in this parish in the case of tithes but in the Hall Farm*; all tithes being payable in kind, if so demanded by the rector. The particular customs belonging to the said Hall Farm are these; viz. the milk every year of the whole dairy for nine mornings, or else the cheese of those nine mornings made after the best manner; that is, of the right one-meal sort; one good calf, and half a guinea in money, for the tithes of lambs and wool kept and growing on the said lands. The number of acres paying this tithe within the gates of the said farm are eighty-six; viz. Waits' Wood, Waits' Wood Meadow, the two Back Fields, Carter's Close, Dove House Pightle, and Cow Pasture. For Lord's Meadow, Pound Close, and the two Slade-bottom Meadows, are paid two acres of grafs fit for hay. Besides these customs, there are no other belonging to the said farm; all the other lands, lying without the gate and belonging to this farm, pay their tithes in kind, as the rest of the lands in the parish do.

In the said parish is an hospital founded and endowed by Sir Robert Gardiner, knight, about the year 1614, for six poor widows, who have each a convenient apartment, a blue gown, and a load of wood, every year, and 1s. 4d. per week; who are thus maintained out of certain lands lying at Thelnetham and Elmeswell, in the county of Suffolk, in the hands of feoffees, in trust.

The blacksmith's shop, garden, and other lands, in the occupation of Mr. Eastorne, Jonathan Blois, Edward Marsh, and John Wright, to the annual value of 7l. 5s. were settled by commission for charitable uses, upon the parish church of Elmeswell, for the repairs and ornaments of it; which rents are annually received by the church-wardens. The commission under the Great Seal of England for the aforesaid purpose bears date Feb. 15, 1705; and the award and declaration hereupon of the said commissioners, Oct. 25, 1706. Several parcels of land, to the value of 21l. per ann. belong to the parish of Elmeswell, as settled also by the aforesaid commissioners. Four town-houses, inhabited by several poor families, belong to the said parish.

* Containing 237 acres, and a wood of 141 acres, Elmeswell Common (at present uninclosed) contains 188 acres.

In testimony of the truth of the within abovementioned particulars, we the minister, church-wardens, and chief inhabitants, have set our hands, the day and year aforesaid.

J. Cosborne, Rector.

S. C. }
W. B. } Church-wardens.

E. S. }
&c. } Chief Inhabitants.

A true and perfect note, or account, of all and singular the goods, books, ornaments, and utensils, belonging to the parish and parish church of Elmeswell, in the county of Suffolk, and diocese of Norwich.

One silver flaggon, with a cover.

One silver chalice.

One silver patten.

One silver plate, for collecting the alms.

One carpet for the communion-table, of green cloth.

One pulpit-cushion, of the same.

One fine linen cloth and one napkin, for communion-table.

Two surplices of Holland.

Two prayer-books.

The book of homilies.

One large Bible, of the last translation.

Five bells, with their frames.

S. C. }
W. B. } Church-wardens.

* * * There does not appear to have been any alteration in the Terrier since the date above.

ELMESWELL is situated in an exceedingly pleasant part of Suffolk, only six miles from Bury, and six from Stowmarket, to both which towns the roads are good. It stands high; the air is esteemed fine and wholesome, many of the prospects are beautiful and extensive, and the neighbourhood in general abounds with gentlemens seats. The church (which formerly belonged to the abbey of Bury) has a lofty steeple, and the church-yard is higher than the tops of the chimneys of some of the adjoining cottages.

An inscription, carved in stone, on the front of the south porch, has been purposely erased. On the steeple is . There used to be in the church-yard a

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very large white-thorn, whose branches extended so far, that they were obliged to be supported by a frame of wood-work. It was cut down about 1760.

At a court-baron held at Elmeswell in March 1786, appeared Edward Marsh, aged 90, who has a brother, William Marsh, aged 93. Both these copyholders have duly attended the courts during the greater part of the present century; and their family have lived in the parish 500 years.

"An original description of the manor of Elmeswell, parcell of the possessions of Gardiner Webbe, Esq; (viz.) of so much thereof as doe ly in the parish and boundes of Elmeswell afforsaid, within the county of Suffolk, was taken and made on the ninth of October, Anno Domini 1627, by Thomas Waterman," is now (1786) in the hands of J. Nichols.—The parish contains (by admeasurement taken in 1786) 1880 acres, one rood, 26 perches. There is a good parsonage-house, with proper out-buildings, in decent repair, an exceeding good garden and fish-pond, with five acres of rich pasture.

99

CAMPESSE, *Camesey*, or *Campsey*, a nunnery of the order of St. Clare, or the Minoreffes, was seated in a fruitful and pleasant valley on the East side of the river Deven; and on the North it had a large lake of water, more than 20 feet deep, and about 14 acres in extent, which still abounds with immense quantities of pike, carp, tench, and eels. While the water supplied this house with fish and wild-fowl *, the land furnished the other necessaries of life.

It was founded by the order of Theobald de Valoines, who gave all his land in Campesse to his two sisters, Joan and Agnes, for the erecting of a nunnery there, to the honour of God and the glorious Virgin; which grant, being confirmed by the following charter of king John, was carried into execution in 1204.

“ Rex, &c. Sciatis nos concessisse & præsentī carta nostra confirmasse rationabilem donationem quam Teobaldus de Valoines fecit Johannæ & Agneti, sororibus suis, Deo devotis, de tota terra sua de Campesse, cum omnibus pertinentiis suis, ad fundandum ibidem domum religiosam sanctimonialium, in honore Dei & gloriose virginis Mariæ matris ejus, ad opus ipsarum & aliarum que eis adhærebunt, in servicio Dei commorantium. Præterea concedimus eis rationabilem confirmationem quam Gillebertus Pechie eis fecit de eadem terra. Quare volumus, & firmiter precipimus, quod prædictæ Johanna & Agnes, & prædicta domus, & illæ quæ eis succedant, habeant & teneant prædictam terram benè & in pace, liberè & quietè, plenariè, & honorificè, sicut cartæ prædicti Theobaldi & præfati Gilberti rationabiliter testantur. Testibus G. Wintoniensi ep. & E. Eliensi episcopo, & J. Norwicensi episcopo, G. filio Petri comite Effexiæ, Roberto filio Rogeri, Willielmo Briwerr, Petro de Stock. Dat. per manum Symonis prepositi Beverlac. & archidiaconi Wellen. apud Westmonaster. xxviii die Januarii.”

The nunnery of Campsey found in after-ages many considerable benefactors. Simon de Bruna gave at one time a certain messuage and four acres of land; and at another time a piece of land lying in Totington in perpetual alms, for the health of his own soul, and those of his father and mother, and other ancestors. John le Strange also, the father, gave to the same nuns, for the same purposes, a certain messuage, called Henepbord, with four acres of land in Totington, and a manor called Stranges, with all his homage, revenue, and services; all which John le Strange of Hunstanton, esq; confirmed and warranted to the said prioress and convent, and their successors for ever. These deeds of gift † were made when Mary Felton and Alice Corbet were prioresses.

Stephen de Ludham (the grandfather, as is conceived) gave also to the nuns of Campesse a piece of meadow in Ludham, in pure and perpetual alms, and free from all secular services and demands. His son William de Ludham gave all his

* The name of *Decoy* is still retained here, though it has long ceased to be so used.

† In 1728 they were in the hands of Francis Canning, of Foxcote, in Warwickshire, Esq.

land in Ludham, then held by William the chaplain, called Finchescrout, to the said nuns, yet to hold of him and his heirs by the annual rent of twelve pence, six-pence whereof to be paid on the eve of Epiphany, and the other six-pence upon the feast of St. John Baptist, yearly. After this, Stephen de Ludham his son agreed with the said nuns, to release them for ever from the payment of the twelve-pence a year for Finchescrout, upon condition that they should for ever quit-claim all their right and title to two pieces of mead in Wickham, then held by — de Hill.

While Walter de Suffield was bishop of Norwich*, there happened a controversy between Sir Robert de Valoines, who claimed the patronage of this nunnery, and the nuns, who denied his title to it. The case was referred to this bishop, who thus decided it: That the prioress and nuns should always acknowledge the said Robert de Valoines for their patron; and as often as there is a vacancy of a prioress, the said Robert shall seize the said nunnery, but without any hurt to their goods, or exercise of any authority, till the nuns have chosen them a prioress, whom they shall present to the said Robert for his assent; which being obtained, the bishop of Norwich for the time being shall order her to be confirmed and settled in the government of the nunnery †.

In 1333 John de Framlyngham obtained from king Edward III. letters patent ‡, for enabling him to bestow his manor of Karleton, and the advowson of that church, on the prioress and nunnery of Campsey, as a maintenance for a chaplain and two assistants, to perform service daily in their church for the soul of Alice de Henaud, Countess Marescal his consort, for his own soul, and the souls of all the faithful: the patronage of the said chaplain to be for ever with the prioress of Campsey and her successors §.

Maud Countess of Ulster, relict of William de Burgh, Earl of Ulster, and sister to Henry Earl of Lancaster, founded in 1348 another chantry || of five priests in the chapel of the Blessed Virgin Mary of Campeffe, by the licence of king Edward III. for the health of the souls of William de Burgh and Ralph de Ufford, her first and second husbands, and of Elizabeth de Burgh and Maud de Ufford her daughters, as also for the good estate of herself, Sir John Ufford, and Sir Thomas de Here-

* 1244—1253.

† This decree was also in Mr. Canning's hands.

‡ See these at length in Dugdale, Monast. vol. I. p. 490.

§ In 6 Hen. IV. mention is made of William Worsted, master, and the chaplains of the chantry of Campefs; and in the valuation of 26 Hen. VIII. we find,

Penſio Galfridi Crisp magistri cantariæ ibidem £.8. 13s. 4d.

Petri White clerici ibidem.

Francis Woodhouse.

Thomas Bakeler.

Thomas Parker clerici ibidem.

And in the will-book in the Archdeacon of Suffolk's office; marked I. f. 62. there is a legacy given to the master of the chantry at Campefs and his brethren in 1528.

|| John de Haketon de Jakesse, the first master, was presented by the prioress Jan. 8 1349. Ib.

John de Asten was presented by the prioress Sept. 24, 1352.

ford, knight, during their lives, and for the health of their souls after their death*; which chantry she endowed with certain lands in Ash, near Rendlesham, and with the advowsons of the churches of Burgh in Suffolk, and Hargham in Norfolk. In 1357, it being represented to the king, that the noble and pious foundress, having found that the priory of Campsey was too far distant from the village of Ash, where she had proposed to fix her residence, permission was granted to remove the chantry to the manor of Rokhalle, in the town of Brusseyard; the revenues and site whereof were given, in 1365, to the prioress and nuns of the order of St. Clare there, when the chantry was converted into a nunnery at that place.

Ralph de Ufford, who died before 1348, was buried in the chapel at Campsey.

Robert de Ufford, the first Earl of Suffolk of that name, married Cecily, daughter and coheir of Robert de Valoines. By his last will, dated on the festival of St. Peter and St. Paul, 1368, and proved at Cheryng, 9 kal. Dec. 1369, he directs his body to be buried "à Campasse, defouls l'arche parentre la chapelle St. Nich. & le haut altier, ou le tombe eut este ordeigne †."

Edmund, brother of Sir Robert de Ufford, by his will, dated in 1374, bequeaths his body to be buried near his wife in the chapel of Our Lady within this priory.

William de Ufford, his son, the second Earl, by will, proved at Lambeth, Feb. 24, 1381, directs his body to be buried at Campasse nunnery, "dereare la tombe en quele mes tres honores pierre & miere gisent ‡." He dropt down dead on the steps of the House of Lords, as he was carrying up from the Commons a representation of grievances, containing, among others, that of expence in drefs §.

Isabella, his widow, daughter of Thomas Beauchamp Earl of Warwick, who took the veil in this house, by will, proved at London, Oct. 28, 1416, directs, "mon corps à la terre destre enterrez a Campseye joust mon seigneur ||."

**Taxacio Bonor' Tempor' Episcopor' & alior' viror' religiosor' fact' p Ep'os Wynton' & Lincoln', in Arch' Suff' & Sudbur'. commonly called Pope Nicholas' Valor, 1288.

In Norfolk.		£.	s.	d.
Prioreff' de Campeffe hit in Gernemut Magna	—	2	12	0
_____ in Hykelingg	—	1	0	0
_____ in Stalham	—	0	4	0
_____ in Stowe de t' r' & f' alim	—	5	13	3
_____ in Saxlington,	—	0	4	0
_____ in Kyrkeby oim Sçor',	—	0	3	5
_____ in M'ton,	—	0	1	6
In Suffolk.				
Prioreff' de Campeffe hit in Etone ¹ de redd	—	0	0	11
_____ in Parva Gernemut' de dom ib' et piscar'	—	0	9	0
_____ in Marlinghm ² de ter' & redd	—	1	3	9
_____ in Hachon ³ de ter' & redd	—	3	0	2
_____ in Rēdeshm ⁴ de ter' & redd	—	0	18	10

* Dugd. Monast. I. 491.

† Reg. Wittleseye, fol. 111—114.

‡ Reg. Courtney, fol. 119.

§ Dugd. Bar. II. 49.

|| Reg. Chichley, I. fol. 296.

** MS. penes C. Ord, 1790.

Variations in the Cottonian MS. Tiberius C. 10.

¹ Estone. ² Framlingham. ³ Hathetone. ⁴ Retidilsham.

In Suffolk.			£.	s.	d.
Prioreff' de Campeffe hit in Ayfsh de tris, redd' molend' & fetu animal'	hit	in Ayfsh de tris, redd' molend' & fetu animal'	10	14	10½
_____ in Tremeleye de redd'	_____	_____	0	0	8
_____ In Ipswich, { in Sancto Laur' de redd'	{	_____	0	5	0
_____ in Bē Mar ^e de Ulm ^s de redd'		_____	0	2	0
_____ in Burefyerd ⁶ de redd' & ter'	_____	_____	2	15	8½
_____ in Craneford de ter'	_____	_____	0	19	0
_____ in Swyftling ⁷ de redd'	_____	_____	c	1	11½
_____ in Oreford de redd'	_____	_____	1	5	0
_____ in Parham de ter' & redd'	_____	_____	3	10	8¼
_____ in Ryndham ⁸ de redd',	_____	_____	1	4	9
_____ in North Glemham de ter'	_____	_____	0	12	0
_____ in Glemham P'va de redd'	_____	_____	0	15	2
_____ in Snape de redd'	_____	_____	0	3	5
_____ in Blaxhal ⁹ de redd' & ter'	_____	_____	0	7	9½
_____ in Henstede ¹⁰ de redd'	_____	_____	0	6	8
_____ in Frostenden de redd'	_____	_____	0	5	0
_____ in Jokesford de redd'	_____	_____	c	3	0
_____ in Sutton de redd' & ter'	_____	_____	0	15*	7½
_____ in Chattisham ¹¹ de redd'	_____	_____	0	9	0
_____ in Ufford de redd'	_____	_____	0	3	0
_____ in Lowdham ¹² de teru & fet' animalium,	_____	_____	0	13	4
_____ in Wykham de redd'	_____	_____	0	9	10
_____ in Dallinghoo de ter'	_____	_____	0	2	2
_____ in Bradefeld ¹³ de ter' & redd'	_____	_____	0	13	1
_____ in Bromeswell ¹⁴ de redd' & conf'	_____	_____	0	5	9
_____ in Peteeftre ¹⁵ de redd'	_____	_____	0	0	8
_____ in Bulg' de ter'	_____	_____	0	1	3
_____ in Debach ¹⁶ de redd'	_____	_____	0	0	11
_____ in Clopton de redd'	_____	_____	0	1	1½
_____ in Martlesham & Neuburn de redd'	_____	_____	0	2	2
_____ in Beling' P'va de redd'	_____	_____	0	10	0
_____ in Grundesburgh de redd'	_____	_____	0	15	0
_____ in Keffemer ¹⁷ de redd'	_____	_____	0	1	8
_____ in Stāham Antegan ¹⁸ de redd'	_____	_____	0	10	0
_____ in Floketon de redd'	_____	_____	0	8	0
_____ in Ayfsh ¹⁹ de redd'	_____	_____	0	2	8
_____ in Codenham de ter'	_____	_____	3	10	0
_____ in Wrthm ²⁰ de redd'	_____	_____	0	4	0
_____ in Burgate de redd'	_____	_____	0	0	8
_____ in Stowe de redd' & pqr' cur'	_____	_____	3	6	0
_____ in Combs ²¹ de redd'	_____	_____	0	16	0

Variations in the Cottonian copy of Pope Nicholas Valor.

⁵ S'ce Mar' de Ulmis. ⁶ Borisgerde. ⁷ Swftnlige. ⁸ Lendham. ⁹ Blaxhale. ¹⁰ Henford. * 51s. 7½d.
¹¹ Scatesham. ¹² Ludham. ¹³ Brendefende. ¹⁴ Bromwell. ¹⁵ Petriste. ¹⁶ Debath. ¹⁷ Keffemer xxi d.
¹⁸ Stonham Lutegan. ¹⁹ Leys 11s. vii d. ²⁰ Wrthm. ²¹ Campes.

Prioreffes

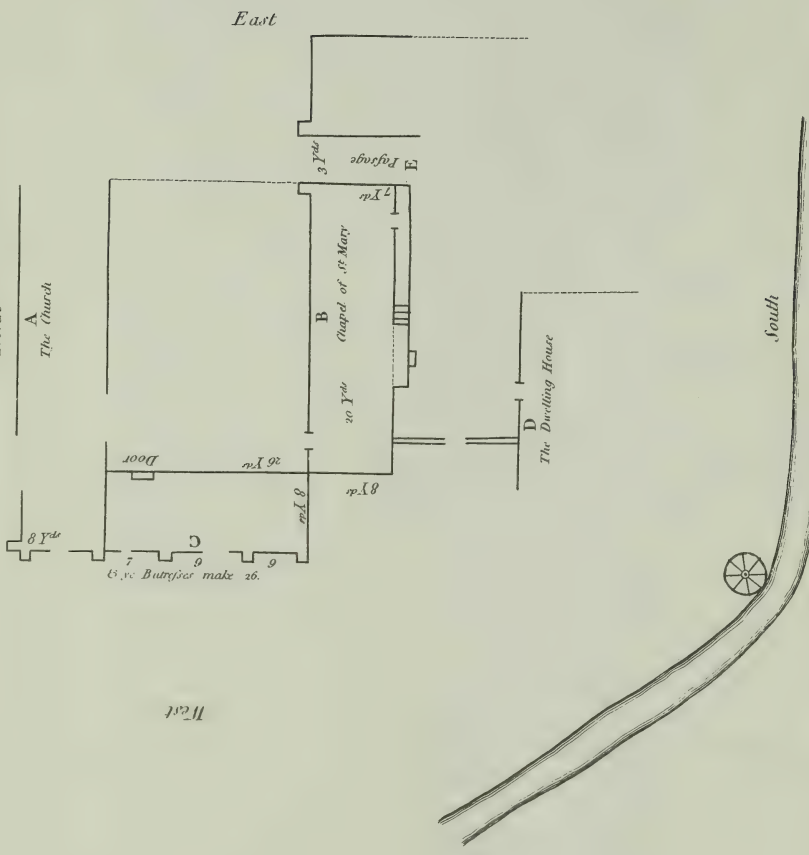


Fig. 3. 1648 I.L.		Fig. 2.	Fig. 5.
GOVERNES		GRACE	
Oar: pio: au: vengde bombed: pouste:			

Prioreesses of Campeffe.

Joan de Valoins, first prioreess.

Joanna occurs 13 Henry III. 1229.

Agnes occurs 19 Henry III. 1225.

Basilia de Wachisham is mentioned in a deed * without date; and again 42 Henry III. 1258.

Mary de Wingfield; her election was confirmed May 1334.

Katherin Ancil was prioreess 3 Henry V. 1416.

Mary Felton †, succeeded by

Alice Corbet †, and occurs 1418.

Margaret Henham, 1476.

Elizabeth Blennerhasset, 1517.

Elizabeth Buttry, last prioreess, died at Norwich October 24, 1543; and was buried in St. Stephen's church, Norwich.

The nunnery was valued at the Dissolution, at £.182. 9s. 5d. *per annum* †.

In 1553 there remained in charge to Galfrid Crispe £.4. *per annum*; and to John Eyer £.35. 6s. 8d. Total £.39. 6s. 8d.

In the annexed plan, A. shews the site of the church, now all in ruins, except the West end, where the walls are three feet thick.

B. The chapel of St. Mary.

C. Is supposed to be the refectory or dormitory.

D. The dwelling-house, built with stone and brick; and the inside supported with prodigious balks of timber, &c. A principal beam in the hall measures 14 inches square. The inner work of the West porch of this house consists of many painted mouldings; and on the sides are demiquatrefoil arches.

The farm house was part of the original apartments; and in the parlour window is a piece of glass stained with the arms engraved in the annexed plate, fig. 1; over the kitchen chimney the escutcheon, fig. 2; on the wooden part of a gable next the mill, "1648. I. L." [for LANE] and the escutcheon as in fig. 3; and in an upper chamber was in Kirby's time the figure of a lady stained in glass (since gone), with the capitals engraved in fig. 4. still remaining, probably to be read *Grace governess*, alluding rather to the divine influence than to the name of a prioreess; and at the foot of the horse-block, a slab of white stone, inscribed as in fig. 5. for *Margaret Bonnsfred*, or *Bonnsbed*, one of the prioreesses not in the list above.

In this parish are three distinct considerable estates;

1. The Manor-house;

2. The Nunnery;

3. The High-house.

At the time of the great Survey under William the Conqueror, the lordship was the property of Robert Malet; and is mentioned both as *Campsey* and as *Ash* in several parts of Dome day. Gilbert bishop of Evreux held lands here as an under-tenant, and Briemarus was tenant of the mill §.

The manor of Campsey Ash was, in 1348, the property of Maud Countess of Ulster.

* Penes C. Ord, arm. 1790.

† Stevens' Supplement, vol. I. p. 524.

‡ See the Original Survey, 26 Hen. VIII. in the First Fruits Office.

§ Vol. II. p. 293. b 326. b. 388. b. 443. b.

In the roll of the ninth granted to Edward III. in 1340, the jurors return, That the ninth part of the sheaves, fleeces, and lambs, in Ash, is worth this year £.8. 6s. 8d. and no more; that the rector has three acres of arable, worth this year 4s. 6d.; value of each acre 1s. 6d.; the rents of assize 3s. 6d.; tythe of hay, with half an acre of meadow belonging to the church £.1. 18s.; the tythe of hemp and flax at 10s.; the tythe of milk with the calves, hens and pigs, at £.1. 10s.; tythe of apples 3d.; profits of mortuaries and burials (*de requestu mortuar' sepultur'*), and other small oblations £.4. 0s. 4d.

King Henry VIII. granted, in his 29th year, to John Eyer, for the term of his life, an annuity of £.30. 6s. 8d. out of the manors of Wikham, Gelham, Byng and Vallans, in the county of Suffolk, belonging and apperteynyng to the late monastery of Campsey, in Suffolk; which manors of Wikeham, Gelham, and Bynge, the said king, by his letters patent, granted to Sir Anthony Wyngfelde, knight, and to the heirs male of his body, and engages to hold the said Sir Anthony Wyngfeld discharged of the said annual rent*.

Henry VIII. in his 35th year, granted to Sir William Willoughby, knight, the site of the manor of Campsey, with the lands belonging to this nunnery, and all the manor of Campsey, and the lands called Valenes, in Valens and Blaxhall, and all the messuages and lands in Haugh, Northland, and Blonnyvile, in the parishes of Hasketon and Parham, in Suffolk, to hold of the King in capite†.

37 Henry VIII. Sir William Willoughby alienated his manor of Campsey, with the appurtenances in Campsey and Ash, with the messuages, lands, and tenements, in Haugh and Northland, in the parishes of Hasketon and Parham, to John Some, gent.; and in the same year John Some conveyed a moiety of these lands to John Valentyne, gent. and his heirs. The other moiety passed to the Lords Audley, and from them, by marriage, to Thomas Howard Earl of Suffolk.

6 Edward VI. William Some conveyed his portion of the manor of Campsey to Robert Vesey and his heirs; in whose family it continued till the 6th of Elizabeth, when it was alienated by William Vesey to William Hunwick; and passed from this family into those of Bull and Danby; and in 1659 was purchased by John Braham, grandson of Sir John Braham, of Braham-hall, who settled here; but that family failing of issue male, it became vested in two maiden ladies of that name; of whom, Elizabeth‡, the last survivor, died April 7, 1788, aged 83.

4 Edward VI. William Lord Willoughby alienated the site of the nunnery at Campsey, with the appurtenances, in Campsey Ash, Lowdham, Rendlesham, and Wycham, to John Lane, gent. and his heirs.

It was purchased of the Lanes by Frederick Scot, who sold it to Sir Henry Wood, of Loudham; and it came, with the rest of his estate, to Robert Oneby, Esq; of Barwell, in Leicestershire; from whom it passed by will to William Chapman, of

* Augmentation Decrees, N^o 4. p. 95.

† Book of Inquisitions penes C. O. 1790.

‡ This lady possessed, among other curiosities, a roll or computus, 28 Hen. VIII. of the Steward of the manors of Campeffe, Haugh, Northlands, Blaxhall, Loudham, Petestree, Ufford, Gelham, Harpole, and Bing.

Loudham, esq. (afterwards Sir William) who died Feb. 9, 1785. It was afterwards the property of Thomas Breton, Esq. and Robert Lloyd Breton his son, as heirs-at-law to one fourth part of the property of Mr. Oneby; and was sold by them in 1788 to Jacob Whitbread, esq. the present owner.

John Glover, gent. purchased an estate in the parish, of Thomas Goodwyn, gent. and others, about the beginning of the reign of Queen Elizabeth*; and by Jane his wife, had issue William, Glover, and Dorothy, married to Henry Fox, gent. William Glover, Esq; their only son, was sometime servant to Thomas Howard Earl of Suffolk. He built with brick the High-house near Ash Green; and by Elizabeth his wife had issue three sons and three daughters, viz. John Glover, who died in his father's life time; William Glover; Thomas Glover; Elizabeth Glover; Mary Glover; and Ann Glover. Their father, by his will, dated 30th of October, 1628, devised his manor of Ashmoor-hall to Elizabeth his wife for life, with remainder to William his son. He died about the 16th of March next after the date of his will, and was buried at Ash. William Glover, esq; their second son, was lord of the manor of Ashmoor-hall, dwelt in the house here which his father built, and had issue by his wife, William Glover, John Glover, and Ann Glover. Their father was slain at the White-Hart in Wickham-Market by two persons in 1641; and lies buried in Ash chancel under a black grave-stone. William Glover, esq; his eldest son, sold his father's seat in Ash, with the lands thereto belonging, to John Sheppard, gent. (in whose family it still remains); and removed to Frostinden, where his posterity were living in 1745.

The principal land-owners in Ash are now (1790) John Sheppard, esq; Rev. Samuel Kilderbee, Jacob Whitbread, esq; Philip Edward Braham, esq; Sir George Wombwell, bart. Mrs. Chandler, Nathaniel K. Chandler, Mrs. Whincop, Isaac Allett, and Thomas Salkeld.

The annual assessment of the parish to the land-tax is £.154. 12s. 6d.

In Ash church there are 4 bells. The church is dedicated to St. John Baptist.

The chancel has been lately put in new repair.

Over the door is "S. K. 1788."

In the East window of the chancel, on painted glass:

Three lions of England, a label of 3 points Arg.

Gules, a lion rampant Arg.

Party per pale Or and Azure, a lion rampant Argent impaling

Near the pulpit, is a figure in brass of a priest holding a chalice, under a handsome canopy, the border gone:

"Of your charitie pray for the soule off Sir Alexandre Angliche, sumtyme parich prest of thys churche, on whose soule Jesu have merci."

He was rector between 1447 and 1504.

* Both buried at Ash; he, June 28, 1568; she, July 6, 1575. Arms of Glover, Sable, a fess cremelle Ermine between three crescents Arg.

On a large flat-stone on the North west side of the altar :

Arms: Gu. a chevron Ermine between three dolphins naiant embowed Arg.

" Here lyeth interred the body of Edward Blenerhayset, the youngest sonne of Samuel Blenerhayset, of Loudham, Esquire: he died June 1641.

Not that he needeth monements of stone
For his well-gotten fame to rest uppon;
But this was laid, to testifie that hee
Lives in their loves that yet surviving bee.
For unto Virtue, who first rais'd his name,
He left the preservation of the fame;
And to Posteritie remaine it shall,
When brasse and marble monements shall fail."

On a flat-stone, half hid by the rails of the altar :

Arms: Sable, a fess crenelle Erm. between 3 crescents Arg.

" Here lyeth interred the body of William Glover, Esquire, who was unhappily slaine July 1641.

Behold in me the life of man,
Compared by Davidd to a span;
Let friends and kindreds weepe no more,
Here's all the odds—I went afore."

On a black marble stone on the pavement in the chancel:

Arms: a cross patonce, impaling 1st and 4th on a bend, three lions faces between two fleurs de lis; 2d and 3d on a pale, a lion rampant.

" HERE LYETH BURIED THE BODY OF MARY, THE WIFE OF JOHN BRAHAM, GENT. DAUGHTER OF RALPH DARNELL, ESQ. WHO DIED THE SEVENTH DAY OF FEBRUARY, ANNO DOMINI 1660."

On two large flat-stones there have been brasses, now gone; on one of them the figure of a man and his wife, three sons and six daughter.

On an altar tomb in the church-yard:

Arms: Sable, a fess Or, between three talbots passant Arg. each carrying in his mouth a bird bolt of the second. Crest, a lion's head Sable, issuing from a tower Or.

" Here lies the body of John Sheppard, of Ash, in the county of Suffolk, Gent. who departed this life February 14, 1669.

" Here also lies the body of John Sheppard, son of the abovesaid John, who departed this life July 11, 1672."

On upright stones :

" In memory of Sarah, the wife of Philip Wade, who departed this life March 26, aged 69 years.

She was honest in her time ; a loving mother to her seven children :

John, Samuel, Sarah, and Mary, she see die,

Also soon after they five by her lie."

Mary Hastings, died March 24, 1714, aged 83.

N. Chandler, died August 27, 1770, aged 76.

Hannah Chandler, died August 14, 1767, aged 6.

Elizabeth, wife of Thomas Durrant, died October 10, 1729, aged 79.

{ Edward Curtis, died December 28, 1718, aged 72.

{ Susan Curtis, died January 16, 1715, aged 61.

{ John Woolnough, of Tunstall, died October 6, 1781, aged 85.

{ Mary Woolnough, died October 4, 1760, aged 62.

John Woolnough, died October 14, 1780, aged 54.

Thomas Chapman, died August 7, 1737, aged 28.

Thomas Chapman, died August 6, 1747, aged 66.

Elizabeth Chapman, died December 9, 1769, aged 86.

Thomas Glanfield, died November 9, 1753, aged 31.

Thomas Glanfield, late of Marlesford, died January 22, 1764, aged 70.

Elizabeth Glanfield, died December 9, 1765, aged 51.

Benjamin Barthrop, died Sept. 22, 1778, aged 27.

Rectors of Ash.

3 Kal. Aug. 1312. Galfr. de Castre ad pref. Dñæ Aliciæ de Hannoniâ Com. Norf.

6 Feb. Joës de Shaftsbury ad pref. Mariæ de Breuse Com. Norf.

23 Oct. 1395. Will. Tyken ad pref. Margaretæ Com. Norf.

1 Jul. 1447. Tho. Brown ad pref. Joïs Vice Com. de Bellemonte.

Alexander Inglishe.

9 Maii 1505. Joës Leycester, LL. B. Commissary General of Suff. vicar of Stoke Neylond, and rector of Stonham Aspal.

2 Dec. 1506. Joës Bredlawgh als Jacob ad pref. Tho. Com. Surrey.

26 Jun. 1510. Joës Hecker ad pref. ejusdem.

Tho. Burgh, he was also rector of Marlesford in 1519.

31 Jul. 1533. Joës Shery ad pref. Thomæ Ducis Norf.

16 Apr. 1534. Joës Hood ad pref. ejusdem.

24 Apr. 1554. Thomas Borough ad pref. ejusdem.

22 Aug. 1561. Joës Aldham ad pref. Witti Dñi Willoughby.

25 Jun. 1584. Hen. Vounrow.

18 Dec. 1607. Will. Ferrer ad pref. Com. Suffolc'.

5 Oct. 1637. Rob. Camborne ad pref. Theoph. Com. Suff. He occurs in 1662

4 Oct. 1671. Sam. Stubbing ad pref. Joïs Bream gen.

5 Feb. 1677. Edm. French ad pref. Joïs Bream arm.

22 Jun. 1692. Sam. Fenn ad pref. Deborahæ Bream vid.

1753. Thomas Bishop was rector.

1783. Mr. Stewart.

June 1784. Samuel Kilderbee, M. A. the present rector.

F

In

In a MS. of Church Notes in Suffolk, &c. taken by Dr. Sampson * 1661, 2, and 3, in the hands of the late Mr. Warburton, Somerset herald, who lent it to Dr. Ducarel 1754, are Inscriptions at *Campsey* and *Ufford*.

A TRUE and perfect note of remembrance of the Customes of the parish of CAMPSEY ASH, in the county of Suffolk, and diocese of Norwich; as appears by divers books, notes, memorials, and testimony of ancient men, inhabitants of the said parish; and continued unto this present fifth day of May, 1662; testified by us the inhabitants of Ash aforesaid, whose names are under-written, as also by the present rector of the said parish.

Imprimis, For every dairy milch cow, having had a calf that year, three-pence.

Item, In lieu of every tenth calf in one year, two shillings.

Item, For every calf that falls under the number of ten, being sold, two-pence.

But for so many as are killed, or weaned, one penny.

Item, For every gait beast and heifer, gait ware and bud, three half-pence apiece.

Item, A hearth hen at Christmas is in full discharge of all fuel burnt upon the premises.

Item, Once in a year, at Easter, every communicant payeth two-pence for his offering.

Item, For fruit two-pence.

For pig and goose the custom is thus: the parson is to have the seventh in kind, allowing to the parishioner a half-penny apiece to make up the number of ten; and the parishioner to allow the parson a half-penny apiece for all under seven.

Mortuaries are payable in the parish, according to the statute.

The parson is to have for a marriage, one shilling and six-pence.

For a burial, one shilling.

For a churching, six-pence.

For every hen, on Good-friday, custom-eggs.

The out-townsmen to have no benefit of these customs, but the townsmen only.

The out-townsmen to pay two shillings in the pound for herbage; and all the rest in kind, as broom, whins, wood, corn, hay, &c. ROBERT CAMBORNE, Rector.

Subscribed by John Brame, Sen. Eliz. Damant. Hen. Chapman. Will. Manship.
Tho. Reynolds. William Hawes. William Winter. Edward Winter.

In the Exchequer. Michaelmas Term, 26 Geo. II.

BISHOP versus BRAHAM, et è contra.

An Extract from the Office Copy of the Proceedings had in the said Cause, so far as regards the Customs of the Parish of Campsey, as to the Small Tithes; and a particular Modus established for the Small Tithes of George Lord's Farm †.

Thomas Bishop, Clerk; then rector of Campsey Ash, filed a Bill against Defendants, to recover the Great and Small Tithes of the farms and lands in Defendant's possession in the said Parish, said to be due to him as Rector thereof.

* Probably the author of the History of Framlingham, printed at the end of Leland's Collectanea, vol. I. p. ii. p. 661. edit. 1781.

† Now Mr. Whitbread's; see p. 27.

Plaintiff in said Bill admits a certain Modus to have been established, and still existing in full force, in lieu of some Small Tythes; viz. for every Dairy Cow, having had a Calf that year, 3*d.* for every 10th Calf, 2*s.* for every Calf under the number of 10, being sold, 2*d.* for such Calves as are killed or weaned 1*d.* each; for every Galt Beast, or Heifer Galt, Wear Buds, 1*d.* half-penny each; a Hearth Hen at Christmas, in full for all Fuel, 6*d.* Fruit, 2*d.* Pig and Goose in kind, allowing one half-penny to 10; and to have but one half-penny apiece to 7.

In Bishop's Answer to the Defendant's Cross Bill, (taken by commission Nov. 1, 1753,) he admits the following Customs, together with the above, viz. Mortuaries payable in said town according to the Statute; for a Marriage, 1*s.* Burial, 1*s.* Churching 6*d.* for every Hen on Good-friday Custom-eggs; Outlyers to have no benefit of these customs, but to pay 2*s.* in the pound for their Herbage, and all the rest in kind; as Broom, Whins, Corn, Hay, &c. And further says, that the above are the several antient Customs used Time immemorial, as to the payment of Tithes and Dues to the Parson of Campsey Ash, in several Terriers returned by the Rectors and Inhabitants, and registered in the Court of the Bishops of Norwich.

A Commission being sent down to examine witnesses; and publication being passed, amongst the proofs for the Plaintiff in the Original Cause is the deposition of John Nunn, *in hæc verba*: "To the second Interrogatory, this Deponent saith, "That the Complainant, as Rector of said Parish of Ash, is intitled to all Tithes, "both Great and Small, arising within the said Parish; and particularly to the "Tithes of all Corn, Beans, Pease, and other Grain, Hay, Grass, Clover Grass, "Seed, Turnips, Sheep, Lambs, and Wool, within the said Parish: except only to "the Tithes arising from Six Acres of Land, Parcel of a Close called Peasecroft, "in this Deponent's occupation, which this Deponent believes to be exempt from "the payment of Tithes, both Great and Small, and except the *Small Tithes* arising from the Farm and Lands occupied by the Deponent, called Campsey Ash "Abbey; in Lieu of which the said Complainant, as Rector as aforesaid, is entitled "to, and does annually receive, at Christmas, one large Mold Candle, as a satisfaction for such Small Tithes, and except some Small Tithes aforementioned, "arising within the said Parish, for and in Lieu of which the said Complainant is "entitled to the following Customary Payments; viz. for every Dairy Cow, &c. " &c. &c." as in the aforementioned Modus admitted by the Complainant in his Answer to Defendant's Cross Bill.

Nov. 8, 1754. In full Court, *inter alia*, "The Modus in the Cross Bill established."

By the above extracts, taken from Office Copies, it appears that there is a general, beneficial and antient Pecuniary Modus established in this Parish, for and in Lieu of Small Tithes.—That such Modus is on Record in the Bishop of Norwich's Court.—That it has been allowed and established by an Order of the Court of Exchequer, bearing date, Monday, Nov. 18, 1754.—That Six Acres of Peasecroft Close in George Lord's Farm are free and exempt from *all Tithes*.

—That

—That the whole of the Farm which George Lord now holds, being the Abbey, and the Lands thereto belonging, is subject to the payment of the greater Prædial Tythes, but exempted from the payment of any Small Tithes, or any Pecuniary or other Compensation in Lieu thereof, except a large Mold Candle, which has been paid to, and accepted by, the former Rectors of said Parish, from Time immemorial. Several of the inhabitants can prove this Custom; it was a large Green wax Mold Candle, value 1s.; which Candle was usually burnt at the Rector's Tithe Feast, always held, before the time of the present Rector, on Plough Tuesday. The Mold, in which the Candle was made is of great antiquity, was preserved in the hands of Mr. Lord. Mr. Stewart, the late Rector, refused the tender when made to him in the usual form by Mr. Lord, and flung the Candle into the road; after which time Mr. Lord paid full Tithes for all his Pasture land.

Mr. Kilderbee, the present Incumbent, inducted in 1784, avowed in April 1785, before he received any Tithes from the Parish, that such a Custom did exist; but he being then but lately inducted to the Living, could not ascertain the particulars; but supposed that the Tenant of the Abbey ought to pay him a Wax Candle annually, at Christmas, in Lieu of Tithes.

If a Rector, from Interruption, attempt to destroy a Modus, it may be observed, and held as sound law, "That an Interruption of the Usage for such Time only "as shall not destroy the possibility of proving the Custom or Prescription, shall "not destroy such Custom or Prescription *."

By a survey of Mr. Lord's farm, it appears to contain 395 acres, three roods, 38 perches. But that survey does not mention the quality of the land; nor how much was for the plough, now much meadow or pasture. In the great meadow, consisting of 20 acres, one rood, and 15 perches, and marked in the above mentioned Survey (39), there was formerly a Patch of land, containing two acres, which was considered as the property of the Rector, and as given in Lieu of the Tithes of the whole meadow. This Patch the Rector sometimes mowed for his own use, and sometimes sold the standing crop. The old poles, or land-marks, that formerly marked out this patch, the Rector has destroyed, all but one. Whenever the 20 acres were pastured, the tenant always paid the Rector 40s. a year for the two acres. Mr. Lord says, that four acres of Peasecroft, (No. 7.), were always exempt from Corn Tithes; that neither Mr. Stewart, nor Mr. Kilderbee, have ever demanded them. That Mr. Stewart, whenever he took Tithe in Kind, always left these four acres un-tithed; and that Mr. Kilderbee has hitherto done the same. That he (Mr. Lord) has compounded with Mr. Kilderbee for one year; and that he told Mr. Kilderbee, at the time of making the Agreement, that these four acres were Tithe free †.

* Price and Maccall, Trinity Term, 12 James. In B. R. Bulstrode, 240 Watson's Clergyman's Law, 512; & passim in the Reports.

† This was drawn up in 1786. Mr. Lord is since dead.

B I B L I O T H E C A
T O P O G R A P H I C A
B R I T A N N I C A.

N° III.

CONTAINING
A DESCRIPTION
OF
THE CHANONRY
IN
OLD ABERDEEN,

In the Years 1724 and 1725;

By WILLIAM OREM, Town-Clerk of ABERDEEN.

L O N D O N,
PRINTED BY AND FOR J. NICHOLS,
PRINTER TO THE SOCIETY OF ANTIQUARIES:
AND SOLD BY ALL THE BOOKSELLERS IN GREAT-BRITAIN AND IRELAND.
MDCCLXXXII.

U. OF F. LIBRARY

AMONG the various Labours of Literary Men, there have always been certain Fragments whose Size could not secure them a general Exemption from the Wreck of Time, which their intrinsic Merit entitled them to survive; but, having been gathered up by the Curious, or thrown into Miscellaneous Collections by Booksellers, they have been recalled into Existence, and by uniting together have defended themselves from Oblivion. Original Pieces have been called in to their Aid, and formed a Phalanx that might withstand every Attack from the Critic to the Cheesemonger, and contributed to the Ornament as well as Value of Libraries.

With a similar view it is here intended to present the Publick with some valuable Articles of BRITISH TOPOGRAPHY, from printed Books and MSS. One Part of this Collection will consist of Republications of scarce and curious Tracts; another of such MS. Papers as the Editors are already possessed of, or may receive from their Friends.

It is therefore proposed to publish a Number occasionally, not confined to the same Price or Quantity of Sheets, nor always adorned with Cuts; but paged in such a Manner, that the general Articles, or those belonging to the respective Counties, may form a separate Succession, if there should be enough published, to bind in suitable Classes; and each Tract will be completed in a single Number.

Into this Collection all Communications consistent with the Plan will be received with Thanks. And as no Correspondent will be denied the Privilege of controverting the Opinions of another, so none will be denied Admittance without a fair and impartial Reason.

A D E S C R I P T I O N
O F
T H E C H A N O N R Y
I N
O L D A B E R D E E N,
T O G E T H E R

With many curious, entertaining, and pleasant REMARKS on the said TOWN, &c.

By WILLIAM OREM, Town-Clerk of ABERDEEN.

Written in the Years 1724 and 1725;

With a few occasional Corrections made by the Author in 1726, 1727, and 1728.

P R E F A C E.

THE author of the following Description of Aberdeen was William Orem, town-clerk of that city about 1725; soon after which time he died. Copies of his MS. are in various hands. One in the library of King's college there consists of 212 8vo. pages. "It comprehends a great many miscellaneous articles relating to the cathedral and bishop's palace, and the manſes of the prebends. At p. 107, we have an inventory of the silver plate and vestments belonging to the cathedral, as delivered out by William Gordon the last Roman catholic bishop, to be kept in the custody of private gentlemen, under an obligation to restore them, July 17, 1559. The plate amounts to 108lb. 8oz.* The second part contains 91 pages of the same close hand, and is intitled 'A larger, more exact, and genuine account of the University of King's college of Aberdeen.' At p. 39 is inserted an inventory in Latin of the plate and vestments belonging to the college chapel, of the arras and furniture in the hall and chambers, the bells in the steeple, &c. taken at a visitation by the rector, James Strachan, parson of Belhelvie, 1542 †; to which is subjoined a curious note of the arms belonging to the college in the Scottish language ‡."

* See p. 65.

† See p. 142.

‡ Brit. Topog. II. 643.

The present work was printed from a transcript in 360 duodecimo pages, made by James Dalgarno, surgeon and apothecary at Aberdeen, who had been educated at King's college, but through indolence and neglect of business was reduced at the age of 60 to subsist on the kindness of his friends. Of him Mr. Gough, when he visited Aberdeen in 1771, purchased the MS. If it should be found to differ materially from those in other hands, the Editor hopes for the favour of collations from the several proprietors.

As this tract, being principally confined to the Bishoprick, Monastery, and Colleges of Aberdeen, may be considered rather as the ecclesiastical than the civil history of the place; we flatter ourselves some native may be excited to continue Mr. Orem's plan, and transmit to us materials for a Second Part of this work, which, by the help of "The description of Aberdeenshire" by Sir Samuel Forbes of Foveran*;" description of Aberdeen annexed to James Barclay's "Memorials for governing of royal burghs in Scotland, 1685," 12°; and William Barclay on the mineral waters discovered here, compared with an older essay on the same waters, might form a connected civil and natural history of this place.

Mr. Pennant celebrates Aberdeen as a fine city, extensive, populous, industrious in a stocking and thread manufacture, and a salmon fishery. Old Aberdeen, about a mile North of the other, is a poor town, having nothing but the cathedral and college to distinguish it or give it consequence. "The episcopal cities of Scotland," says Dr. Johnson†, "I believe generally fell with their churches, tho' some of them have been recovered by a situation convenient for commerce. Thus Glasgow, though it has no longer an archbishop, has risen beyond its original state, by the opulence of its traders; and Aberdeen, though its ancient stock has decayed, flourishes by a new shoot in another place."

* See Brit. Top. II. 642.

† Tour, 49.

While the English Universities carry their antiquity almost beyond the date of Learning itself in that kingdom, Scotland had nothing on that general plan till the beginning of the 15th century. The University of St. Andrew's was founded 1411, that at Glasgow 1452. Bishop Elphinston's foundation at Old Aberdeen was third to these in order of time, and was imitated a century after by George Earl Marshall. These, though styled colleges, are, as Dr. Johnson observes, "in stricter language, each an university; " for in both there are professors of the same parts of learning, " and the colleges hold their sessions and confer degrees separately, " with total independence of one on the other.

" In Old Aberdeen stands the King's college, of which the first " president was *Hector Boece*, or *Boethius*, who may be justly re- " verenced as one of the revivers of elegant learning. When " he studied at Paris, he was acquainted with *Erasmus*, who after- " wards gave him a public testimony of his esteem, by inscribing " to him a catalogue of his works. The style of Boethius, though, " perhaps, not always rigorously pure, is formed with great dili- " gence upon ancient models, and wholly uninfected with mo- " nastic barbarity. His history is written with elegance and " vigour, but his fabulousness and credulity are justly blamed. " His fabulousness, if he was the author of the fictions, is a fault " for which no apology can be made; but his credulity may be " excused in an age when all men were credulous. Learning " was then rising on the world; but ages, so long accustomed to " darkness, were too much dazzled with its light to see any thing " distinctly. The first race of scholars, in the fifteenth century, " and some time after, were, for the most part, learning to speak " rather than to think, and were therefore more studious of ele- " gance than of truth. The contemporaries of Boethius thought " it sufficient to know what the ancients had delivered. The " examination of tenets and of facts was reserved for another ge- " neration.

" Boethius,

“ Boethius, as president of the university, enjoyed a revenue
 “ of forty Scottish marks, about two pounds four shillings and six
 “ pence of sterling money. In the present age of trade and taxes,
 “ it is difficult even for the imagination so to raise the value of
 “ money, or so to diminish the demands of life, as to suppose four
 “ and forty shillings a year an honourable stipend; yet it was
 “ probably equal, not only to the needs, but to the rank of Boe-
 “ thius. The wealth of England was undoubtedly to that of
 “ Scotland more than five to one; and it is known that Henry the
 “ Eighth, among whose faults avarice was never reckoned, granted
 “ to Roger Ascham, as a reward of his learning, a pension of ten
 “ pounds a year.

“ The other, called the Marischal college, is in the new town.
 “ The hall is large and well lighted. One of its ornaments is the
 “ picture of Arthur Johnson, who was principal of the college, and
 “ who holds among the Latin poets of Scotland the next place to
 “ the elegant Buchanan.

“ In both these colleges the methods of instruction are nearly
 “ the same; the lectures differing only by the accidental difference
 “ of diligence or ability in the professors. The students wear
 “ scarlet gowns, and the professors black; which is, I believe, the
 “ academical dress in all the Scottish universities, except that of
 “ Edinburgh, where the scholars are not distinguished by any
 “ particular habit. In the King's college there is kept a public
 “ table, but the scholars of the Marischal college are boarded in
 “ the town. The expence of living is here, according to the in-
 “ formation that I could obtain, somewhat more than at St. An-
 “ drew's.

“ The course of education is extended to four years, at the end
 “ of which those who take a degree, who are not many, become
 “ masters of arts, and whoever is a master may, if he pleases, im-
 “ mediately become a doctor. The title of doctor, however, was
 “ for

“ for a considerable time bestowed only on physicians. The advocates are examined and approved by their own body; the ministers were not ambitious of titles, or were afraid of being censured for ambition; and the doctorate in every faculty was commonly given or sold into other countries. The ministers are now reconciled to distinction, and as it must always happen that some will excel others, have thought graduation a proper testimony of uncommon abilities or acquisitions.

“ The indiscriminate collation of degrees has justly taken away that respect which they originally claimed as stamps by which the literary value of men so distinguished was authoritatively denoted. That academical honours, or any others, should be conferred with exact proportion to merit, is more than human judgment or human integrity have given reason to expect. Perhaps degrees in universities cannot be better adjusted by any general rule than by the length of time passed in the public profession of learning. An English or Irish doctorate cannot be obtained by a very young man, and it is reasonable to suppose, what is likewise by experience commonly found true, that he who is by age qualified to be a doctor, has in so much time gained learning sufficient not to disgrace the title, or wit sufficient not to desire it.

“ The Scotch universities hold but one term or session in the year. That of St. Andrew’s continues eight months, that of Aberdeen only five, from the first of November to the first of April.”

Boethius, besides the “copious and florid but credulous” History of Scotland*, wrote also in Latin the lives of the bishops of Murthlac and Aberdeen, printed at Paris by Badius Ascensius, 1522, 4to. from which we have extracted the life of bishop El-

phinston, subjoined hereto as containing a succinct account of his foundation here, by a contemporary.

The first book printed in Scotland is supposed to be “Brevi-
 “arium ad usum & consuetudinem percelebris ecclesiæ cathedralis
 “Abredonenfis in Scotia, regnante Jacobo IV. principe nostro
 “serenissimo, divina favente clementia Scotorum rege illustrissimo,
 “imperii sui anno viceffimo secundo [anno scilicet Christi 1509],
 “pro hyemali parte feliciter sumit exordium. Ejusdem breviarii
 “pars æstivalis, per reverendum in Christo patrem Wilelmum,
 “Abirdon. episcopum, studiosius, maximisque cum laboribus col-
 “lect. non solum ad ecclesiæ suæ Abirdonenfis, verum etiam ad
 “totius ecclesiæ Scoticanæ usum percelebrem: oppido Edinburgenfi
 “impressa, jussu & impensis honorabilis viri Walteri Chapman,
 “ejusdem oppidi mercatoris, quarto die mensis Julii, anno Domini
 “millesimo ccccc decimo.” Each volume consisting of two
 parts*. Both parts in the Advocates’ library. Both volumes
 want the title pages, besides some leaves or sheets in the middle
 of each, but the first is more defective than the second: at the
 end of the latter is the annexed colophon; the words in Italic are
 printed in red ink in the original. “Laus Deo, cujus gracia finis
 “adeft presenti opusculo *æstivalis* partis breviarii divinorum offici-
 “orum de tempore et de sanctis: ac *Davitico psalterio* congruenter
 “per ferias diviso: cum invitatoriis, *hymnis*, antiphonis, *capitulis*,
 “responforiis, non communi sanctorum, plurimarum virginum et
 “matronarum cum kalendario et mobilium festorum *tabula per-*
 “*petua*: cum diversorum sanctorum legendis, que antea sparsim
 “vagabantur; et nonnullis aliis adjunctis sacerdotibus quam ne-
 “cessariis, per *reverendum* in Christo patrem *Wilelmum* Aberdonen-
 “sem *episcopum* studiosius maximisque cum laboribus collectis, non
 “solum ad ecclesiæ sue *Abirdonenfis*, verum eciam ad totius ecclesiæ

* Ames’s History of Printing, p. 573.

“*Scoticane*

“*Scoticane* ufum percelebrem. Opido Edinburgenfi impreffo
 “juffu et impenfis honorabilis viri *Walteri Cbepman*, ejufdem
 “opidi mercatoris, quarto die menfis Junii, anno Domini mil-
 “lefimo CCCCC. decimo” On the back of this page there is
 a curious wooden print* representing two favages at full length;
 their heads are adorned with flowers, and they have in their
 hands flower ftalks; their bodies are clothed with fkins of wild
 beafts, with a girdle of flowers; and their legs bare from the
 ancle downward. Betwixt thefe two figures ftands a tree, upon
 which is fufpended a fhield Sable† with W. and C. in cypher
 Argent: at the bottom between two black lines are thefe two
 words, “+ Walterus + chepman S.”

In the library of King’s college here‡ is a fair original char-
 tulary from the foundation of the fee to the laft catholic biftop:
 alfo original registers of the cathedral plate, &c. the ftatutes of
 the church; and “Statuta generalis ecclefie Scoticanæ;” out
 of all which Dr. Jamefon compiled a “Chartularium ecclefie

* This would feem to prove that the art of printing was firft introduced into
 Scotland from France, and probably the types, &c. came from thence; for this
 kind of device was at time peculiar to the French printers.

† This cut agrees with Pigouchet’s *Salisbury* and *Rouen Heures*, except in the
 cypher.

‡ *Nicolf. Sc. H. Lib.* p. 211. 213. 216. In the fame library is a copy in above 1000
 folio pages of Spalding’s *History of Scotland*. It begins 1624 and ends 1645. The
 author was commiffary-clerk of Aberdeen, and has taken pains to commit to writing
 as he received them fuch accounts of the public tranfactions as he could obtain in
 that remote corner. They are greatly mifrepresented; but the greater and more
 valuable part of the book relates to the particular occurrences in Aberdeenshire and
 the neighbouring counties, which represent in a ftong light the fermentations that
 prevailed in the minds of their anceftors, and the barbarity of their manners.
 Spalding is a royalift, but fpeaks with great candour of the oppofite party, and with
 particular refpect of fome covenanting minifters, whom he extolls as good preach-
 ers: but of Mr. Andrew Cant, and the prefbyterian clergy in general, he loves to
 tell every prejudice he can. The ftyle is vulgar, but has merit. The account of
 Montrofe’s expeditions, and of the family of Huntley, might furnifh matter for na-
 tional hiftory. The original is in the hands of lord Forbes. Sir James Reid of
 Barra had another copy.

“Aberdonensis,” of which bishop Nicolson, who saw the MS. in the hands of Mr. Thomas Innes, has given an abstract.

Mr. Ogilvie, professor of Humanity there, favoured Mr. Gough with the following account of it. It consists of 91 leaves, and contains, “1. Constitutiones ecclesie Abberdonensis apostolica autoritate per reverendum in Christo fratrem, colendissimumq; virum magistrum Patricium de Ramsay, dictæ ecclesiæ quondam pontificem, editæ anno 1256.” These are followed by the novel constitutions of bishop Cheyne, and others, intermixed with charters of donations from the earls of Mar and some Scottish kings, making in all 34 folio pages. “2. Thesauraria ecclesiæ cathedralis Abberdonensis, 24 Aprilis, per decanum & capitulum ejusdem reperta & visitata A. D. millesimo quingentesimo decimo octavo. 3. Exemplaria cartarum infeodationis & foundationis ecclesie & episcopatus Murchlaniensis & Aberdonensis.” The first five charters are, one by Malcolm II. one by David I. and three by Malcolm IV. In all these the place, day of the month, and year of the king’s reign, are marked at length: four are signed *teste meipso*, and one of Malcolm IV. *teste meipso* & *Edwardo cancellario, Willelmo camerario* & *multis aliis*. These particulars do not agree with any other charters of these kings which Mr. Ogilvie has seen. Other charters of subsequent kings follow, and among them “*Preceptum regis Roberti* (II.) *aldermano de Abberdyn super observationem libertatum antiquarum episcopi & ecclesie Aberdonensis in portu mari & terra.*” 4. *Littere terrarum*, or a collection of charters of marches of the bishops land. 5. *De ordinatione chori ecclesie cathedralis Aberdonensis.*” There is another charter of this house in the Advocates’ library.

“*Inventarium jocalium auri & argenti, nec non aliorum ornamentorum ecclesie cathedralis Aberdonensis pro divino officio intra eandem deputatorum & ordinatorum tam in cappis, casulis, dalmaticis,*

“dalmaticis, ex auro textili & holeferico, ac variis eneis ad altaris
 “ejusdem ad decorem domus Dei assignatorum, per venerabilem
 “virum magistrum Alexandrum Galloway, ejusdem ecclesie can-
 “onicum ac prebendarium a Kynkyl in eadem, instantia & sup-
 “plicatione capituli dicte ecclesie cannonicorum ejusdem pro tem-
 “pore representantium ecclesiam apud cannoniam Aberdonensis;
 “idibus Januarii, anno a Christo nato nono & quadagesimo supra
 “millesimum & quingentesimum post redemptionem eorundem
 “de manibus quondam Jacobi Forbes a Corfinda, suorumque fa-
 “tellitum raptorum.” MS. on parchment, 44 leaves; from all of
 which some former writing has been erased. In King’s college
 library. From a narrative subjoined it appears that bishop
 Stewart, alarmed by the tumults of the times, 1544, meant to
 send the jewels, plate, and vestments belonging to his cathedral
 into the country to be concealed, reserving only six chalices; but
 as his servants were conveying them away, they were violently
 seized a little beyond the bridge of Don by James Forbes of
 Corfindae, who detained them till the bishop ransomed them for
 600 merks: nor was complete restitution then made. A list of
 12 pieces of plate detained and applied to profane uses is added
 in the Scottish language*.

We have prefixed a survey of Old and New Aberdeen, with
 the adjacent country between the two rivers Dee and Don. By
 G. and W. Paterfon. The original plate inscribed to Duncan
 Forbes, Esq. President of Session in Scotland, lay buried among the
 accumulations of J. Millan’s shop at Whitehall from the year 1746,
 when it was first engraved, to the present summer when we
 purchased it among others at the sale of his prints and copper-
 plates†.

* Brit. Topog. II. 643—646:

† Single impressions of it may be had at our Publisher’s, price one shilling.

T H E L I F E O F

WILLIAM ELPHINSTON,

BISHOP of ABERDEEN;

Translated from HECTOR BOETHIUS' Lives of the Bishops of
MURTHLAC and ABERDEEN.

ON the translation of bishop Robert to Glasgow, WILLIAM ELPHINSTON was appointed to succeed him by the universal consent and wish: a man whom one may without hesitation pronounce the most experienced of his contemporaries; whose life I shall here attempt to delineate; and though my style may seem ill suited to my subject, yet I trust the fidelity of my narrative will not be called in question, as we are most of us well acquainted with his conduct, both civil and religious. We have seen a man whose excellent character will make us rejoice in the contemplation of it, and give most hearty thanks to Almighty God so long as we live. This man is the subject of our present work.

He was born in the famous city of Glasgow, celebrated for its University, and descended from the ancient family of Elphinston. When he was scarce four years old he happened to be missing by the carelessness of those who looked after him; he was found after some search in the inmost chapel of the cathedral at Glasgow, prostrate before an image of the Virgin, and it was not without much difficulty

difficulty and much childish crying and tears, they could get him away home; so great was his desire to contemplate the image, that it was by many considered as an omen of future devotion to the Holy Virgin. At the age of seven he was committed to the ablest masters, to be instructed in good morals and learning. After some application to grammar, he shewed a capacity surpassing his years, and made such a proficiency that he early discovered what was to be expected from him, and gave the most flattering hopes. The Bishop of Glasgow was so charmed with the lad's disposition, that he would never sit down to supper till he had sent for William, and heard him repeat some sentences or verses. Every one was delighted with his behaviour, capacity, and person, which were all so engaging, that the opening seeds of learning and virtue became very conspicuous in him, and rendered him agreeable to all. I cannot here omit a circumstance which happened to him when a boy. He dreamed that he was on his knees before the Virgin, as was his constant practice when awake, and that he was earnestly intreating her favour that he might never willingly fall under the impression of any criminal or mean principle, but pass his whole life in tranquillity and holiness. The Virgin answered him, "Apply yourself wholly to virtuous practice; and when you attain the pontifical dignity for which I intend you, take care of the Christian religion, and repair my temples." His tutor hearing the boy groan in his sleep, waked him, and asked what was the matter with him: the lad having with difficulty told him what had happened, the other with his usual prudence and tenderness bid him dry up his tears, say nothing of the matter, apply himself to virtuous pursuits, and lay no stress on dreams: at the same time revolving in his own mind some great event likely to befall his pupil. In his early years he was fond of tranquillity and silence, affable and obedient to his instructors and familiars; so that it was easy to discern the seeds of his future con-

fancy and magnanimity; yet the earlier part of his life passed in studies not sufficiently suitable to such a genius. When he had attained his 20th year, he applied himself to logic and metaphysics, in which he made such a progress that he soon surpassed his equals. When he had completed his philosophical studies, and arrived at the age of 25, he took his Master's degree in Arts, and was ordained priest. He was taken off his studies for some years by his parents, not only on account of his health, but to look after their affairs, which he did with incredible application and readiness, and gained the good-will of all. Though he seemed born principally for learning, he shewed his capacity not less adapted to family and civil concerns, and his friends entertained equal hopes of his learning and prudence. But soon despising the conduct of a family, aspiring yet modestly to a higher reputation he applied himself to the study of canon law, and attended the most approved professors in the University of Glasgow. He next applied himself to the practice of the courts, and shewed himself strictly attentive to justice and truth, a severe censor of injustice, and rigid patron of equity, and was esteemed the advocate general where he pleaded the cause of the poor and wretched. But either at the solicitation of his friends or from a too modest opinion of his own abilities, he retired from the bar into the country to digest at leisure the various lessons he had formerly received from his different instructors. He spent four years on the care of St. Michael's church, which had been conferred on him, as I may say, by his parishioners. In this retreat he was never idle or inactive; not a single hour passed in which he was not writing, dictating, or making extracts; and his whole time by day and night was divided between study and prayer. His life was such as every private Christian ought to lead: Reading and prayer succeeding each other in constant regularity.

But

But as he was born to greater things he could not long continue to lead a private life. His uncle Laurence Elphinstone, an excellent man, recalled him to Glasgow, with a severe rebuke for suffering such an active genius so calculated to promote the honor and advantage of his family to remain unimproved in any instance: adding that he should go to a distance from his country and his friends to improve himself in foreign manners and learning if he had any ambition; that honor and dignity would arise from his labors, and fresh accession of knowledge from his travels: and that he would be answerable for all his expences. This advice had the desired effect; William set out in high spirits for France. He went to Paris, the university of which was then in high repute; and such was the result of his application there, that his former advances seemed as nothing to it: what he heard from the professors and preachers in the day he would recite by himself at night. Temperate to excess in sleep and refreshment, unwearied in his application, it was difficult to determine whether he studied harder by day or by night. His intenseness was the astonishment of Paris; nor could his virtue remain long concealed. He was soon advanced to the post of first reader of canon law; a post conferred at Paris only on the most learned in both branches of law. Such was his proficiency here also, such his diligence in explaining the sacred canons, as attracted the eyes of all the students in that line, and he was heard for six years by a crowded audience with greater attention than any of his predecessors. At the end of this period after he took his degree in the decretals, he went to Orange, where he spent some years in canvassing the obscure and difficult parts of his profession with the professors of law there, who were esteemed the most learned of their time, and in his public discourses he elucidated certain propositions before the doctors of law with so much perspicuity and propriety of language that he was held in

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universal admiration, respect, and veneration. His name was so esteemed among the magistrates of France, that the parliament of Paris frequently consulted him in determinations of importance. He maintained such a reputation among the great personages of that kingdom, that their esteem for him daily increased, and with it the number of his agreeable friends. The chief of these was John de Ganai, afterwards high chancellor of France, a person of prime learning and authority at that time there. The warmest friendship subsisted between them to the end of their lives.

William was now recalled by his parents to Scotland with high reputation for learning and eloquence. He paid his first visit to the bishop of Glasgow, who was an admirable patron of learning and learned men, and received him with every expression of esteem and kindness. He illustrated certain intricate questions in the canon law in a public discourse pronounced almost extempore in such a manner that astonished both the bishop and his clergy. These qualifications procured him to be appointed official of Glasgow, an office to which was annexed a very extensive power, and which was never conferred but on men of eminent learning. William administered this office with wonderful address and impartial justice, restraining litigious claims inexorable to oppression and the perverters of the law; having this saying always in his mouth, that he who spares bad men is an enemy to good men. By this means he laid the foundation of his future greatness. But it was impossible to conceal such a light under a bushel: it could not be confined within the district of Glasgow. King James and the lords of the kingdom invited him to Edinburgh, to avail themselves of his advice in different emergencies. There he held the officialty of St. Andrew with great reputation. He had not long after the honor of being called to a seat among the privy council, where he maintained a

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most religious observance of right and equity, admitting no distinction between advantage and honesty. This established him a most excellent character, and occasioned him to be consulted on matters of the greatest moment. His decrees being all approved opened his way to further advancement, and he was joined together with the bishop of Dunkeld and the earl of Buchan chief justice of the kingdom in an embassy from James III to Lewis XI of France, on which occasion he effectually removed the causes of suspicion ready to break out into animosity between the two kings by the instigation of some evil-minded and malicious persons, and confirmed the antient alliance between the two nations by a most elegant speech before the French king's council. Lewis conceived such an esteem for him that he gave him a place among his own counsellors. The ambassadors received a public answer, and after a most handsome reception and a stay of some months, returned home loaded with presents. James was so well satisfied with the success of their embassy, that he promoted William to the see of Ross, though with much reluctance on his part. On his friends' remonstrating to him on this unwillingness to accept a place, he replied, "Ross is not to be our see, but where our patroness the Virgin mother of God shall please," alluding to what he had seen in his dream. He was afterwards admitted to the king's privy council, and so high was his credit, that almost all the great affairs of the nation were conducted under his direction, and by his advice. As this introduced him to a greater familiarity with the king, he advised him to leave off his debauched and avaricious life, and put a stop to the ravages of the marauders who overrun the country which was at that time overspread and laid waste by the remains of the late war, and content himself with his faithful consort queen Margaret, who was of royal descent, and had already brought him three sons. He added, the barons who were persons of consider-

able property could serve the state both in the cabinet and field, and the commons be protected from every insult, while the king passed his life in devotion and in the exercise of mercy so worthy a sovereign. The bishop's repeated exhortations wrought such a happy change in the king that he was frequently seen at the feet of Christ and his Virgin Mother, pouring out tears and prayers for his own and his kingdom's welfare, bestowing large sums on the poor and the ministers of Christ; and there was hardly a church or chapel in his dominions but bore the marks of his devotion. About the same time the bishop of Imola legate from the pope came to the king as usual with great splendor to solicit ample privileges for the nobility and commons. The king received him in a manner suitable to his rank, and carried him about with him wherever he went, being delighted with the conversation of the foreigner. It happened that the king going to Laurestan on pilgrimage met a nobleman convicted of murder going to execution, who no sooner saw him than he threw himself at his feet, and earnestly implored his mercy not to suffer him to be made a public example for an involuntary crime. The king who was naturally of a temper inclined to pardon, turning to the legate, to whom he wished to pay the compliment of prompting this act of mercy, asked his opinion on the matter. The legate recommended, the enforcing of justice. The king then turned to William whose countenance he saw discovered that he disapproved the legate's answer: Such, said he, is the compassion of the Italians; you used to give me very different advice; let mercy be shewn: and immediately discharged the criminal. The king's kindness to William increast every day, and as often as any great undertaking was to be carried on in the kingdom he was pitched upon to take the lead in it: such was the propriety of his conduct, and the acuteness of his judgment.

About

About this time were sown the seeds of the bloody war between Edward king of England and James III. To heal this cruel wound our prelate was sent ambassador to England; and he executed his commission so well, that by his sole management the minds of the two princes were conciliated to each other, and the foundation was laid for a perpetual peace, had not a war broke out at home between Alexander duke of Albany and his sovereign; and the former flying his country was received with open arms by Edward, who furnished him with troops and money against his brother. This was soon after followed by a declaration of war between the two nations. Our sovereign began to be more apprehensive of his own subjects than of the English, as many of the nobility seemed to incline to the duke of Albany. After various trials of skill, William was sent a second time ambassador to Edward, to bring about a general peace, and a reconciliation with the duke. Things succeeded to his wish; he met with a very handsome reception, and brought about a reconciliation between the duke and the king, and settled a peace. For this service he was immediately on his return advanced to the see of Aberdeen, and some years after to the post of high chancellor.

About this time broke out the unnatural war between the king and his eldest son, afterwards James IV.; and though our bishop could not succeed in bringing them to an accommodation, he left nothing unattempted that a wise and good man could have suggested, and adhered all the time to the king*. When the war was finished he returned

* James III. adopted his father and grandfather's system of breaking the aristocratic power in Scotland, but pursued it in a different manner. He slighted his nobles, and gave himself up to artists, whom he made his favourites. His brothers Alexander duke of Albany and James earl of Mar caballed against him. The latter he caused to be privately put to death: the other fled to France, and formed an alliance with England

returned to Aberdeen, drew up excellent regulations for his clergy, and restored the service, which during the war had been for several years neglected. He ordained the chant to be celebrated in the ancient manner; appointed John Malison, an experienced musician, and a worthy man, to direct the service in the church of Aberdeen, and to keep the rituals. To this man the people of Aberdeen are indebted for their knowledge of music; and to him they are likewise indebted for every performance in that science, and for the exact celebration of service in the said church. There was scarce a considerable singer in the city who did not take his lessons from him. William meditated many other laudable reformations there; when he was sent for to court and appointed councillor to James IV. who received him kindly, and with the same respect as his father had formerly done, which obliged him to defer his design to some future opportunity. There still subsisted some remains of the ancient enmity between the nobility, which if not removed threatened to break out into greater mischiefs. All these William with great pains and application entirely extinguished, and even the very seeds of discontent and sedition. King James having now no enemy at home or abroad, turned his thoughts by his advice, to the improvement and advancement of the

England. The king found himself under the necessity of soliciting the support of his nobles, who first hanged his favourites, and then effected a short-lived reconciliation between him and his brother. But the same scene was presently acted over again. The duke of Albany was, by the death of Edward IV. of England, obliged to give up his opposition. But a more formidable one succeeded. James's own son was set up by the malecontents against his father, who took the field against him, and lost his life in the battle of Bannockburn. "Suspicion, indolence, immoderate attachment to favourites, and all the vices of a feeble mind are visible in his conduct." Robertson II. 56—61. According to Rapin (VI. 140—145.) James broke the truce with England without reason, and the Duke of Albany treated with Edward IV. to be set on the throne of Scotland. The duke of Gloucester entered that kingdom and took Edinburgh. Peace was restored by the intervention of the duke of Albany, and being soon after broken, he renewed his treaty with Edward IV. and was killed in an engagement 1483.

state.

state. He reformed the administration of justice by itinerant justices, who by the iniquity of the times had for some years neglected to punish the various crimes that disturbed the public peace. When tranquillity was almost universally restored a Parliament was called at Edinburgh, in which it was resolved to send an embassy to the Emperor Maximilian, to ask his daughter Margaret in marriage; an alliance to which the young king aspired, as an addition to his dignity. All votes were in favour of our prelate for this commission, and he was accompanied by several of the nobility. But the design failed of success by the prior designation of the princess to the prince of Spain.

About the same time, Edward*, who styled himself son of the renowned Edward king of England, landed in Scotland with a large body of troops from Flanders, and by the assistance of king James began his march into England, to recover his paternal dominions from Henry, who then held the crown. James would not permit him to enter his kingdom till Henry had refused an answer to the complaints of breach of treaty and depredations brought by heralds commissioned by parliament; which occasioned the war that afterwards ensued between the two nations. Henry finding war now unavoidable, with his usual foresight sent 60 frigates and 40 transports full of troops and artillery into the Frith of Forth, to cruize on the coast of Scotland, that the Scots being employed to prevent their landing, might not march an army into England, while he remained at London with his nobility; rightly judging that a war of so much risk was better conducted by prudence than force; and knowing likewise that the majority of England were inclined to Edward, eager for a revolution, and ready to rise on the least encouragement. To bring this war to an issue, after both nations had had repeated trials of their strength

* Perkin Warbeck, who assumed the title of Edward VI.

both by sea and land, arbitrators were chosen on both sides for the reparation of injuries, and to agree on terms of peace. On our side William was the principal. They met at Melros, and after various debates and propositions, when the treaty was on the point of being broken off, it was agreed to refer it to him. By his interposition peace was agreed to on certain conditions *. By his advice James first restrained the disturbances of the islanders and highlanders, who without the interference of the royal authority are always quarrelling among themselves. He next set an example of reformation in the manners of the people: he built the magnificent palaces of Stirling, Edinburgh, and Falkland, and furnished them in the richest manner †. The king's example was followed by his subjects of all ranks: the lower classes were protected from the oppressions of the nobles, and the nobility by the royal clemency and liberality or by fear of punishment and authority kept in peace. This general tranquillity and happy change was in great measure owing to our prelate, whose grand object was the good of his country, for which he shunned neither danger by sea or land, nor spared his own delicate health; and such was his influence with the king, that no transaction with his subjects or foreign powers, no treaty with other princes, no peace was concluded with other powers or states, no act, no design, was undertaken or concluded without his concurrence. Nor was he less

* This seems to be the peace negotiated by the Spanish ambassador D'Ayala with the Scots, at the little town of Aton in Scotland. Rapin VI. 400. But Buchanan XIII. 20. says it was settled by Fox bishop of Durham, with king James at Melros, 1500.

† The king having drained his coffers by building palaces, monasteries, and ships, the bishop is said, in order to replenish them, to have revived the odious obsolete law whereby the king or any other lord to whom the wardship of an heir in his minority devolved was authorised to take all the rents and profits of the estate till he came of age; and if the proprietor sold above half his estate without the consent of his lord, the whole was alienated to the lord. Buchanan XIII. 22.

esteemed by the people or the nobility. Such was the effect of his universal good character.

When tranquillity was thus restored, he set himself to adorn his country. In order to improve and embellish the northern part of Scotland, he founded an University at Aberdeen, for professors in every branch of literature. Such foundations had already been established in the other two divisions of the kingdom; one at Glasgow by bishop William Dursdeer*; another, eminent for learning and science, at St. Andrew's, at the expence of Henry Wardlaw, bishop of that see. In these we have seen produced men of the first eminence and learning: Robert Keith†, John Leyston, Hugh Spence, Andrew Ruffel, Thomas Ramsay, Alan Meldrum‡ a distinguished professor of divinity, William Gundy, John of Anandale||, persons of approved learning, who, notwithstanding the modest opinion they entertained of their own abilities, have hitherto held the pre-eminence in divinity, law, or philosophy, some seculars, others of the orders of Austin, Benedict, Francis, or Dominic. From this school, in its earliest foundation, proceeded many persons eminent for learning, which, and the excellent character they bore, were a singular ornament to the church of Scotland. In this University are three colleges. The first called the School§, situate in the pleasantest part of the city, eminent for the many worthy scholars which it has produced. The second embellished with the venerable church of St. Saviour, and spacious handsome buildings for students, founded and amply endowed for students and professors by James Kennedy bishop of St. Andrew's, a great benefactor to literature and its professors; and enriched

* William Turnbull, 1452.

† Son of the earl marshall and abbot of Deer. He died 1551. Mackenzie II. 418.

‡ Or David Meldrum, canon of Dunkeld, official to bishop Lauder, whose life he wrote, and several other things on canon law. Ib.

|| Or Anand, professor of philosophy at St. Andrew's, educated at Paris, wrote on Aristotle's Ethics, &c. Ib. 419.

§ *Pedagogium*: succeeded by St. Mary's college, 1553.

with a great collection of sacred utensils in gold and silver, among which is a crucifix two cubits high ; not to mention the sacerdotal vestments of gold and silver tissue, and other valuable materials, the melodious bells, and the rich hangings for the church and public buildings, on all which the founder spared no expence suitable to his rank and noble spirit. A third college has been added by John Hepburne, now living, prior of the famous abbey of St. Andrew, already abounding with professors and students in various branches. After furnishing his abbey with a variety of religious eminent for music, in which they always excelled, and adding many costly new buildings both in the church and abbey, for the promotion of learning, this worthy man founded a college, dedicated to St. Leonard, with a suitable endowment for masters and scholars. Some of these beautiful buildings are completed, others just begun. This college owes its rise for learning to John of Annandale before mentioned.

To return to the founder of our college. William Elphinston was pleased to fix upon me to lay the foundation of it, and to be first professor of the liberal arts there, notwithstanding my incapacity for so great a charge, and by the most advantageous offers and promises invited me over from Montague college in Paris, where I was then reading lectures in philosophy, where John Standone, that excellent and worthy man, was their principal, and many accomplished scholars flourished, among whom were Petrus Syrus in divinity, Peter Roland my preceptor in logic, John Gaffer whose learned Commentaries on the Decrees of the Fathers are extant, Erasmus of Rotterdam, the ornament and glory of our time and of Europe. Among my countrymen who studied there no small praise is due to Patric Panter*, afterwards privy councillor and secretary to James IV.; Walter Ogilvy†, whose eloquence is so ad-

* He was tutor to James IVth's natural son Alexander Stuart (afterward archbishop of St. Andrew's), and wrote some Political Observations. Dempster. Mackenzie II. 376.

† He wrote certain treatises on Rhetoric. Ib.

mired; George Dundas, that excellent Greek and Latin scholar, master of the knights of St. John of Jerusalem in Scotland*; and John Major †, that learned divine, whose writings have so illustrated the Christian religion. These eminent scholars I shall ever respect; and lament my own loss in leaving them and the University of Paris when I had imbibed but the first rudiments of learning, on the invitation of bishop William, to undertake the instruction of youth according to my best ability. I met with a very kind reception from the canons, those excellent scholars David Guthry ‡, professor of civil and canon law; James Ogilvy ||, doctor in divinity, formerly for his known learning and virtue appointed archbishop of St. Andrew's in the council of Basil. These by their noble birth and uncommon talents attracted universal admiration for their eloquence in professing, preaching, and pleading, in explaining scripture, and giving lectures in law. Thomas Strachan, Alexander Vaux; the former principal of the school at Aberdeen, and both well versed in canon law; James Brown, dean of Aberdeen, a learned scripturist §; and many more adepts in learning, human and divine. When I was settled at Aberdeen I chose William Hay, my fellow student in philosophy at Paris, for associate in my labours, as we were both natives of Angus, both school fellows at Dundee, and both studied under the same masters at Paris, and had contracted a mutual uninterrupted kindness for each other, which I trust will continue through life. His regard for me led him to settle with me at Aberdeen; and the pleasure

* He wrote the history of the Knights of St. John of Jerusalem, in two books. Ib.

† He was born at Berwick, studied at Oxford, and the Sorbonne; wrote a Commentary on the Sentences, and a History of Great Britain; professed divinity in the Universities of Glasgow and St. Andrew's, being principal of St. Saviour's college in the latter, where he died, 1540. Mackenzie, and his life prefixed to his history; Edinb. 1740. 4to. fo

‡ Dempster says he left excellent lectures on law behind him.

|| Dempster does not mention him, Strachan, or Vaux.

§ Author of a comment on the Scripture. Dempster.

he takes in his task of instructing youth makes him an inseparable companion. By diligent application Aberdeen in a short time produced many eminent scholars in divinity, law, and philosophy. Of whom the first was Alexander Hay, that active genius, now canon of Aberdeen, who instructed others, and was the first master of the school. James Ogilvie, of a noble and wealthy family, professor of civil law, successor of bishop Elphinston in the see, which he resigned at the persuasion of his friends, on a dispute among the principal men of the kingdom *, and held the rectory of Kinkeld and the abbacy of Dryburgh *in commendam*. He was sent on several embassies from the king and government of Scotland to various princes, realms and states, by which he acquired great reputation. Henry Spital, a person of no common proficiency, who assisted me in qualifying youth in philosophy previous to higher studies, a relation of our bishop, and on that account no less esteemed by me †. Arthur Boece, my kinsman ‡, doctor in canon and licenciate in civil law; a person of great learning, in which he is making daily progress with unremitting application, and possessed of a force and weight of eloquence. Alexander Galloway ||, the present learned rector of Kinkeld, who some years before our bishop's death was so great a favourite with him, that none of his concerns of moment were transacted without him; John Lyndsay and Alexander Laurence, distinguished lawyers, of whom the former was cut off in the midst of his expectations; and the latter has lately taken on him the order of Friars Preachers. David Menzies, a celebrated preacher §. John Gryson **, Robert Lisle,

* The earl of Huntley insisting that the canons should choose his cousin Alexander Gordon bishop.

† He wrote an easy introduction to Aristotle's philosophy. Dempster.

‡ Brother. Mackenzie. Dempster says he wrote on canon law.

|| He wrote an account of the Western isles, the clag geese, and the trees on which they grew. Mackenzie.

§ Dempster celebrates his sermons.

** Thirty years provincial of his order, concerning which he wrote two books.

and Alexander Courtney, learned and pious divines among the Friars Preachers. John Adam, professor of divinity, of equal learning and piety, first master in that science at Aberdeen, now principal of the Friars Preachers in Scotland, who has dared every hazard in support of religion, and encreased the number of learned, pious, and active preachers of that order among us, to which the authority of the bishop, exerted both at home and abroad, contributed not a little. I mention these as the principal scholars produced in the University of Aberdeen.

To return. These beginnings of the University were so flattering to William, that in order to establish it on more firm foundations, he erected a college, which for the beauty and extent of its buildings cannot be sufficiently celebrated. In it is a church of polished hewn stone, with windows, ceilings, seats for the priests, and benches for the boys, in a most magnificent style; marble altars and images of the saints; pictures, statues, painting, and gilding, brazen chairs, hangings, and carpets. The furniture for sacred occasions is of gold tissue, 15 crosses, and chesubles; 28 mantles of coarse cloth *all embroidered at the sides with the figures of saints in gold and purple, and other colours; seven of fine linen adorned with palm branches, and the borders embroidered with stars of gold; 20 of linen with palm branches and waves for the boys. Besides these, many others of linen and scarlet for daily use: a crucifix, 2 candlesticks, 2 censers, an incense box, 6 phials, 8 chalices, a textuary, 2 pixes in which to expose the host, a third two cubits high of most curious workmanship, a basin, a vessel for the font, a holy water pot with a sprinkler, all of gold and silver; several altar cloths of the finest linen, embroidered with gold and flowers of various colours. A chest of Cypress wood elegantly set with pearls and jewels, in which the re-

* *Villosa byssō.*

liques of the saints are lodged in gold and silver. The steeple is of great height, surrounded by stone work arched in form of an imperial crown over the leaded roof, and containing thirteen bells of most melodious found. All these were the gift of our bishop. And that religion and learning might be equally attended to, eight priests were appointed for daily service, and seven boys of the second form; four doctors professors of the higher sciences, the first in divinity, to whom the founder ordered all the rest should be subject, the second in canon law, the third in civil law, the fourth in physic; ten batchelors to attend the lectures of the professor, and instruct others; of these the chief is subprincipal of the college; 14 students in philosophy, and a learned professor of humanity to instruct youth in grammar, previous to their studying philosophy. This department is filled by John Vaux, who was educated in this University, a learned elegant scholar, and of intense application. All these are by the founder's appointment to attend the public religious service at the intervals of their literary labours. Houses were purchased for the professors of canon and civil law, physic, and grammar, distinct from the college; but William did not live to finish them. He covered the college, church, and towers, and almost all the buildings with lead. The endowment of the whole arises from lands, manors, and excellent revenues, purchased by the founder at a great expence. But all these works and engagements did not fatigue him, nor the daily employments, controversies, decisions, and consultations which he assisted at for the public good. His attention was every where. He adorned the original cathedral of Aberdeen as if he had been chosen of God for that purpose, with many gifts, copes of white linen embroidered with gold, two mitres for the bishop to officiate in, one embroidered with gold, another wrought with palm branches of white linen set with pearls and precious stones, and to a third, which had been for many years esteemed of great value

lue for workmanship and materials, he added many precious stones of various sorts set in gold and silver. He finished the great tower which Henry* left incomplete, and covered both it and the church with lead. In this tower are three bells of 12000lb. weight procured at his expence, Another work no less considerable which he set about, was the choir of the cathedral of Aberdeen, It had been built in a stile unworthy such a church. William began to rebuild it on a plan corresponding with the rest of the building; but lest he should die before it was compleated, he would not take down the old choir till every thing was in readiness to begin the new one, so that a considerable part was finished before his death.

Edward.† bishop of Orkney, a patron of letters and learned men, and particularly of the students here, happening to be about that time at Aberdeen, dedicated the college church. Our prelate lastly undertook to build a bridge over the river Dee, and made the necessary preparations for this pious and public work. He collected the Histories of Scotland, concerning the antiquity of the nation, particularly from the western islands where the sepulchres of our kings and the ancient monuments of the nation are preserved, and formed his materials into one volume. The greatest part of the Scotch written records had been destroyed by the English in their ravages during our civil broils. I have made great use of the bishop's writings respecting this subject in my history; and whoever has read them will see we either wanted historians or that the few we had were extremely careless, and the best of them had formed no collection of the acts of our saints to whom our parish churches are dedicated. These memorials had also been burnt by the English, who substituted to them their own rituals.

* Henry Leighton, bishop of Aberdeen.

† Edward Stewart, a person of illustrious birth, of whom Boethius gives a notable character. Keith.

Besides these civil and religious works, William adorned and rendered illustrious his own family, enriching them with estates, or advancing them in the church, and employing others of them whose abilities qualified them for it in public or private offices to their no small emolument; always recommending to them to make a discrete use of their good fortune, which might change on his death. He was an especial benefactor to the Friars Preachers, Minors, and Carmelites. These his good works deserve to be had in everlasting remembrance. Amidst all his cares in earlier or later life religion and learning were never absent from his thoughts. The leisure of old age he devoted to the study of the scriptures, and his solitude was a source of virtuous improvement. His table was splendid; he seldom slept without the company of many of the nobility, and in the midst of dainties was himself most abstemious; his countenance was chearful, his conversation pleasing, and he was particularly fond of the company of learned men, of music, and sprightly repartee. He had such an active and vigorous mind that he was never at a loss in public or private business; alike qualified for civil or religious matters: the greatest lawyer, the ablest statesman, the most accomplished orator of his time, and the truest friend to the tranquillity, peace, and glory of his country. His constitution as hardy and vigorous as his mind, unbroken by any labor, exercise, or duty, whether public or private. Age itself, the common and inevitable disease of man, though it weakened did not break his spirit, and at the age of eighty-three he transacted the most weighty business of the nation with superior acuteness, his capacity and faculties unimpaired, his memory always strong. His old age was pleasing and respectable, without moroseness, anxiety, peevishness, or melancholy, or the least effect on his excellent temper. Nor before his last illness did he feel any thing that could be ascribed to age.

About

About this time pope Julius II. by his legate declared James IV. protector of the Christian religion, and sent him a purple hat embroidered with flowers of gold, a gold-hilted sword in a golden scabbard set with jewels, complimenting him on the tranquillity which he enjoyed amidst the wars and commotions in which other Christian princes were involved. Louis of France had made himself master of several cities in Italy by force or voluntary surrender, and the princes of Italy were urging Henry VIII. of England, an enterprizing young prince, to attack France under pretence of undertaking the defence of the church of Rome. War was no sooner proclaimed between France and England than Louis sent ambassadors to James to claim his aid against Henry, who threatened to invade his dominions. James received them favourably, and while in council some * proposed to send immediately to Henry to insist on his withdrawing his troops from France, or threaten him with a declaration of war, William declared himself of the party who from past experience preferred peace to the horrors of war, and were for sending a more moderate proposal to dissuade Henry if possible from his intended attack on their antient ally, and wait for his answer. This opinion was received with most tumultuous opposition, and the proposer of it grossly insulted. The contrary was carried into execution, and war declared against England. What followed is well known. When William heard of our fatal defeat, he was seized with the disorder which brought him to his end. He was never after seen to smile, or to be affected by any lively conversation. A council of the nobility was soon after convened at Perth, to consider on the state of the nation, at which he assisted, and was declared

* This party consisted principally of the clergy, who feared if James and Henry continued on good terms, the former might be induced to follow the latter's example in renouncing the papal power, and therefore they made him liberal offers of money to carry on the war. Robertson I. 71.

archbishop of St. Andrew's by the authority of the canons and the great men of the nation ; but he stedfastly refused this dignity, and contented himself with his see of Aberdeen. For notwithstanding he had executed such magnificent works as were the wonder of all who knew them, he never held any abbey or church preferment, as many more do, *in commendam*. He retired to Aberdeen, to devote the remainder of his life in finishing his church and bridge. He wished to end his days in the tranquillity to which his labours entitled him in Aberdeen, where he had first settled. But he was recalled to government to compose the differences between the nobility, which his interposition alone could do. As he was now ill, his friends dissuaded him from going ; but he answered, that he was not born for himself but for his country, that he owed more to the state than to his own health, and that neither his health nor any one's persuasions should prevent his going. Accordingly he set out indisposed, but the fever increasing when he was got half way, he stopped at Dumfermling. After he had lain ill there some days, he disposed of all his treasure and effects for the completing his college and Dee bridge, with legacies to his friends who were not in affluent circumstances. He had then 10000*l.* in gold and silver in his coffers, besides a considerable quantity of valuable furniture. From thence he went on to Edinburgh. Six days after he came there the fever encreased so that he could find no rest. He bore the disorder all night without complaining ; but the physicians being sent for, gave no hopes of recovery. The day before his death he went as usual into the chapel, where he discoursed copiously with great devotion and learning on the truth of Christianity, and the great rewards it proposes to its followers ; but finding himself too weak to go on with the service, he ordered the holy body of Christ to be brought to him, and prostrating himself before it, spreading out his hands to Heaven, received it with the utmost reverence and tears. After he had finished his accustomed prayer

prayer before the crucifix he was carried back to his chamber and put to bed, where he had a short sleep without pain. In the evening he supped with some of the nobility who came to see him, and from the gravity of his conversation and dejection of his countenance drew melancholy inferences. It was late before he retired to bed, when his fever and pain increased, notwithstanding he endeavoured to conceal it. In the morning, feeling an obstruction from phlegm, he called for his chamberlain as well as his voice permitted. His friends came into the room to comfort and encourage him with hopes of recovery ; to whom, lifting up his eyes and seeing them in tears, he replied, " I thought you would give me better advice. I look for immortal health. I shall soon be discharged from sublunary cares. Be it your duty to help every one his neighbour. Certain death awaits me. As I have lived a Christian, so I shall die this day." Being asked where he chose to be buried, he answered, " I have long since given my soul to God. Bury my body any where." Being further asked, if he had any message to his absent friends, he replied, " Give them my blessing. I am going to happiness." His soul being now on its departure, he continued calling on Jesus and his Mother till his lips were closed. He presently breathed out his divine spirit, not like a person in extremity but as one going to rest : born for the glory of our age, the honor of Scotland, and the augmentation of religion ; it being his constant endeavour whether at home or abroad that the church committed to his charge should be devoutly administered, and receive additional lustre from the lives of her ministers.

Such was the end of this prelate, after he had filled his see 30 years. His body being embalmed, was conveyed to Aberdeen with a pomp more mournful than magnificent, and deposited in his college before the high altar. On this occasion some prodigies happened. At Foarne, a village ten miles from Aberdeen, a child

was born with two heads and bodies, but only two legs, and otherwise not deformed. Another child born at Aberdeen could not be brought to suck its mother, nor look at her without horrid squalling, while it took the breast of another woman quietly. The vanes on the towers of Aberdeen church all fell down or were broken off. At the time of his funeral his pastoral staff, which was of silver, and carried in the procession by one Alexander Laurence, was broken, by what accident is not known, and part of it fell into the grave where the body was going to be laid. A voice also, from whence is not known, said, "Thy mitre, William, should also be buried with thee."

Thus have I more briefly than the subject required related the principal traits of William's public and private life; that as every man's reputation arises from the manner in which his life is spent, his actions may shew him worthy the highest praise. If that man deserves praise who performed many honorable actions, and in the most important concerns acquitted himself with the highest reputation, that man was William, who surpassed almost all his contemporaries in his application to the greatest affairs. If that man is to be extolled who by building churches and other pious works restores the worship of God, and re-establishes the neglected service of religion, puts a check on sin, and establishes sound doctrine, and encreases the number of learned persons for the service of God; that man was William, whose exertions in this kind we have shewn far surpassed the common run. Lastly, if we account any man worthy of immortality for his virtue, or any thing more excellent than virtue, whereby youth passes uncorrupted, manhood illustrious, age blameless, and every station of life with modesty, piety, integrity, and sanctity; and no practice unworthy the Christian religion; that man was William, who in every period of his life from the earliest to the latest devoted himself to virtue. An immodest word was to him immodesty itself. He avoided

avoided the company of women both in public and private. He delighted in the frequent commemoration of Christ's passion, on which he used to discourse learnedly and devoutly, and past the eve of Good Friday in haircloth and prayer without sleep. The sweet name of Jesus was never absent from his thoughts, and day and night, sleeping or waking, was always in his mouth. Such was his compassion to the poor and afflicted, that he heard and relieved their distresses with tears. When he saw persons penitent for their crimes, like a kind indulgent parent he would frequently exhort them in the mildest manner with tears to live carefully, and not admit temptation under the mask of pleasure; by which gentle treatment more were reclaimed, than by his authority.

His death occasioned public sorrow: the citizens and women of Aberdeen as well as the clergy mourned for him as a father, saying, the glory of Aberdeen was fallen with him, and all their happiness expired with his life. Such was their lamentation. For himself we cannot doubt that in reward of all his extensive virtues, his most holy life, and devout affection towards God and man, he is gone to the Virgin, to whom he dedicated himself in his youth, whom he served all his life, adorned, if we may use the expression, with temples, and invoked in his last moments, to reign with Jesus Christ his Saviour, in eternal life. He died in the year of our Lord 1450, and second of king James V. The same year there broke out in Aberdeen a most violent plague, which continued two whole years, and carried off more people than had ever been remembered, and added to the other afflictions of the University.

Bishop Elphinston was succeeded by Alexander Gordon, chanter of Murray, a relation of the Earl of Huntley, by whose interest he was promoted to this see, in order to serve the Earl's cause in those troublesome times. John duke of Albany, regent of the
 4 kingdom,

kingdom, nominated James Ogilvy their ambassador in France, and pope Leo X. Robert Forman dean of Glasgow. Gordon's interest prevailed. But his ill health did not permit him to enjoy it above three years, at the end of which he died, and was buried before the high altar of his cathedral. During this interval nothing was done towards compleating William's designs for his college and bridge: but no sooner had Gavin Dunbar succeeded to the see but he turned his thoughts to the college, visited all the buildings, vessels, and ornaments, and last of all the bridge. In order to complete these, he ordered that Alexander Galloway, to whom bishop William committed his fortune, as to a principal and faithful friend, and who had been an especial patron and benefactor to the college, should receive the several legacies for the college and bridge, and lay them out according to his intention. Gavin himself contributed handsomely to both, and at his own expence cield the cathedral. To him Boethius dedicated his History of the See, 1620.

S E R I E S

O F

BISHOPS of MORTLACK and ABERDEEN,

F R O M

BOETHIUS, and KEITH's Catalogue of Scotch Bishops, p. 60—79, &c.

1. **B**EYN, 1015—1047^a, died Dec. 16, at Mortlich, buried at the postern door of his church, where his effigy in stone yet to be seen lies in the wall^b.
2. DONORT or BARNOC, died 1098, fat 42 years^c, buried in the same place with Boyn.
3. CORMACK, 39 years.
4. NECTAN, 16 Alexander I. fat 14 years at Morthlack, transferred the see to OLD ABERDEEN, 1154, where he fat 17 years. Boethius makes him die 1152, 1 Malcolm III.
5. EDWARD, fat 11 years.
6. GALFRID, before 1159; not mentioned by Boethius.
7. MATHEW KINNIMUND, 1172, 11 Malcolm III. died 1197.
8. JOHN, prior of Kelso, died 1206 or 1207.
9. ADAM KARAIL, died 1237.
10. MATHEW SCOT, died before consecration.
11. GILBERT DE STIRLING, died 1238 or 1239.

^a 1041, Boethius.

^c Boethius.

^b Chanonry of Aberdeen MS.

12. RANDOLF or RODULF, abbot of Arbroath, fat 8 years, died 1247, 30 Alexander II.

13. PETER DR RAMSAY, fat 10 years, died 1256, 5 Alex. III.

14. RICHARD DE POTTON^d, died 1267, 18 Alexander III.^e

15. HUGH DE BENHAM^f, died 1279, at his palace at Loch Goul.

16. HENRY CHEYN, 1281^g, fat 48 years, died 1329^h. He added four prebends to the former twelve.

17. ALEXANDER DE KINNINMUND, 8329, fat 11 years, built two episcopal palaces at Aberdeen and Fekyrneyr. In his second year, 1330, the English landed and burnt Aberdeen for six days. 12 David II.

18. WILLIAM DEYN succeeded, 1341, fat 10 years, died 21 David II. 1351.

19. JOHN RAIT, 1351, fat 6 years, died 1355, buried in the choir of Aberdeen.

20. ALEXANDER KINNINMUND, 1356, fat 24 years. He pulled down the old church, and began the new, but finished only the bell tower, and was sent ambassador to France, died at Scone of the strangury 1381, buried before the high altar.

21. ADAM DE TINNINGHAM, dean of Aberdeen 1382, died 1390, 3 Rob. III.

22. GILBERT GREENLAW, 1390, chancellor of the kingdom 1394, which he resigned, and died 1424, and was buried in the choir of his cathedral.

23. HENRY LEIGHTON, translated from Murray 1424, was one of the commissioners for negotiating the ransom of James I. and brought him back from England. He filled this see 18 years, and died 1440, and was buried in St. John the Evangelist's chapel in the North transept of his cathedral, where his tomb still re-

^d POTTOK. Boethius.

^e Boethius.

^f BENHEYM. Boethius.

^g Keith.

^h Keith says 1333, yet dates his successor 1329.

mains, and by his epitaph it appears that “*ecclesie fabricam a choro statione seorsum usque ad summitatem parietum plene astruxit.*”

24. INGRAM LINDSAY, 1440, died 1451. He roofed and paved his cathedral.

25. THOMAS SPENCE, translated from Galloway 1459, keeper of the privy seal. He erected an hospital at Edinburgh, and dying there, April 15, 1480, was buried in Trinity college church in that city.

26. ROBERT BLACKADER, prebendary of Glasgow, rector of Cardros, ambassador from James IV. to the Pope, translated to Glasgow.

27. WILLIAM ELPHINSTON, son of William Elphinston, younger son of the family of Elphinston, burghers of Glasgow, who after the death of his wife took orders, and was rector of Kirkchurch, and archdeacon of Tiviotdale, in which station he died, 1486. His son William was born at Glasgow 1437, was rector of St. Michael, Glasgow, and official of that diocese 1471, official of Lothian, sat in parliament 1478, archdeacon of Argyle 1479, bishop of Ross 1482-3, of Aberdeen 1483-4, lord chancellor 1487-8, lord privy seal 1492, founded the University of Aberdeen 1494. On the death of James IV. the queen dowager intended to have set him at the head of the church, and wrote to the pope on the bishop of St. Andrew's being slain at Flodden. He died October 25, 1514, and was buried before the high altar of his cathedral. He was a diligent searcher into the antiquities of his nation, and wrote A Chronicle of Scotland, MS. in the Bodleian library, Fairfax 8.; Statutes of Councils, and Lives of Scottish Saints^g. His arms, a chevron between three bears heads; motto, *Non confundar*, are on the schools at King's college, on the Trades' hospital, and on the cross. The same arms under a cap with the name of John Elphinston are on Cluny's gate.

^g Tanner's Bib. Brit. in voc.

28. ALEXANDER GORDON, 1514, rector of Fetteresso, chantor of Murray, died June 29, 1518.

29. GAVIN DUNBAR, 1518, dean of Murray 1488, archdeacon of St. Andrew's 1503. He built the stately bridge of seven arches over the river Dee, and an hospital for 12 poor men with a preceptor 1531; over the gate of which is inscribed *Per executores*, and on the South side of the oratory, *Duodecim pauperibus domum hanc reverendus pater Gavinus Dunbar hujus almæ sedis quondam pontifex ædificare jussit anno a Xto nato 1532.* Θεω δοξα. He died March 9, 1532, and was buried in the cathedral, where at the South end of the South transept called his aisle is his figure *in pontificalibus*, on a tomb under a round flowered arch, with his arms, 3 cushions pendant at the corners in a bordure fleure; and those of Scotland. His arms and initials, *ob.* 1532, are on the schools at King's college.

30. WILLIAM STEWART, parson of Lochmaben, rector of Air, and prebendary of Glasgow. In 1537 dean of Glasgow, 1528 lord treasurer and provost of Lincluden. He died 1545. His arms, a fess debruised by a bend ingrailed. W. S. *ob.* 1545: Motto, *Virescunt vulnere vires*, are on the schools as above.

31. WILLIAM GORDON, of the house of Huntley, 1517, died 1577. His commission to Robert bishop of Orkney, &c. to act as vicar general for him during his residence in France is printed in Keith's Catalogue, p. 173. with an inventory of the plate and vestments of his church delivered by him to his canons 1559.

After the REFORMATION.

32. DAVID CUNNINGHAM, subdean of Glasgow, 1577, died 1603.

33. PETER BLACKBURN, rector of St. Nicholas, Aberdeen, died 1615.

34. ALEXANDER FORBES, translated from Caithness, died 1618.

35. PATRICK FORBES, died 1635, aged 71, buried in the South aisle of his cathedral, where is a flat stone with his arms and epitaph. He used to visit his diocese in so private a manner, that he was scarce heard of till he came into the church, and according as he perceived the ministers behave he gave his instructions to them. He wrote a Commentary on the Revelations. A life of him was printed at Amsterdam, 1703.

36. ADAM BALLENDEN, minister of Falkirk 1608, bishop of Dumblane 1615, translated hither 1635, deprived and excommunicated by the synod of Glasgow 1638, withdrew to England, and died there.

37. DAVID MITCHEL, minister in Edinburgh, deprived 1638, beneficed in England, prebendary of Westminster, doctor in divinity at Oxford 1661, consecrated bishop of Aberdeen 1662, died next year, and was buried in the cathedral.

38. ALEXANDER BURNET, born 1619, chaplain to the great earl of Traquar, retired into England on the troubles, presented to the rectory of in Kent, ejected 1650, consecrated 1662, translated to Glasgow 1663, to St. Andrew's 1679, where he died, and was buried 1684.

39. PATRICK SCOUGAL, parson of Salton in East Lothian, consecrated 1664, died February 16, 1682, aged 73.

40. GEORGE HALEBURTON, minister of Coupar in Angus, bishop of Brechin 1678, translated hither 1682, where he sat till the Revolution 1688, and died at his house at Denhead in Couper parish, Sept. 29, 1715, aged 77.

D E S C R I P T I O N

O F

O L D A B E R D E E N

1771.

OLD ABERDEEN* is a long town, irregularly built, and since the Revolution and the loss of its bishoprick having been deserted by the many considerable families who had houses round the clofe, its principal dependance is on the college. This building consists of an oblong court, whose South side contains the hall and a set of handsome fashed apartments on piazzas built by Dr. Frazer. The East end is also apartments; the library and schools form the North side; and on the West was a grammar school, taken down, and rebuilt in another place. The hall is ornamented with some tolerable portraits. Over the chimney, bishops Elphinston and Dunbar, copied from originals in the principal's lodge. Bishops

* To enter Old Aberdeen you cross the Don by a stupendous single Gothic arch about 70 feet from the surface of the water. Henry Le Chen, bishop here 1281—1329. for joy that Bruce's fortune turned, and himself was able to come back from England, applied all the revenues of his see for the time of his absence to build this bridge, which is 72 feet wide at the water, and 60 feet high to the top of the arch. (Keith's Car. p. 65.) Elsewhere Keith says, it is 66 feet 10 inches wide, $34\frac{1}{2}$ feet perpendicular height to the water, depth of water from the surface to the bottom under the arch at low water 19 $\frac{1}{2}$ feet. (ib. p. 242.) The North bank of the river is formed of romantic perpendicular cliffs. From hence it is near a mile to the town, by a handsome modern house of George Middleton, rector or vicechancellor. of King's college

Forbes,

Forbes, Leslie, and Scougal; Dr. Henry Scougal son of the bishop, professor of divinity; Mr. Ogilvie of Inchmartin, who founded a scholarship. Col. Buchan. Professors Sandiland and Gordon. George Buchanan. The ten Sibyls, said to be likenesses of the most celebrated beauties of the time, by Jameson*. Over the door a good portrait of Dr. Frazer, librarian to Queen Anne. Queen Mary, 1684. The library is furnished with variety of good books, and has a fund for augmenting it. In it is an ancient plan of Aberdeen by James Gordon, and a silver penny of one of the Scottish kings found here; several missals, ancient and foreign arms, and fundry natural curiosities. The schools under the library are for Greek, mathematics, morality, philosophy, and history. On the front without under the windows are these coats:

A chevron between 3 bears heads under a mitre W. E. ob. 1514.

Non confundar.

A fess debruised by a bend ingrailed mitred W. S. ob. 1545.

Virescunt vulnere vires.

A saltire and chief, H. B. ob. 1536.

A lion rampant, R. M. dec. Abd. 1579.

Three lion's heads in a border cheque, 1723.

Fortior quo mitior.

Crest, a demi lion rampant:

James Frazer, 1724, his arms and motto *Je suis pret.*

At the South end of this side is a tower for an observatory, built 1658 †, with the lodgings under it.

To this college belong a principal, subprincipal, who is also one of the regents or professors of philosophy, and six other professors of divinity, civil law, medicine, humanity, Greek, Oriental languages, and mathematicks, and a doctor of divinity; the bishop was perpetual chantor, and the official or commissary of Aberdeen vicechancellor. After the abolition of episcopacy these offices

* Mr. Pennant thinks they are not in his style.

† By the contributions of General Monk and his officers quartered at Aberdeen. Pennant.

fell into lay hands. Inferior officers are the college servants, and the sacrist or porter. All the students live in apartments within the college, and are under strict regulations, being obliged to be at home by nine, and to put out all lights by eleven.

The college church adjacent has been a beautiful building. The West end is neglected and disused. Before the high altar was the tomb of bishop Elphinston the founder, lately stripped of its canopy and ornaments for fear of accidents, and reduced to a plain blue marble slab. The steeple is surrounded by a kind of lantern supported by four arches, and on the top a crown. Some coats of arms almost defaced appear in part on the sides of the great West window, which has rich tracery.

At the head of the town stands St. Machar's church, the ancient cathedral, now reduced to a nave (serving for a parish church), and the shells of two transepts. Its lofty tower in the centre whose spire was a sea mark, and contained 14 large tuneable bells, by its fall crushed all the Eastern part of the church, which was circular, and the site is at present walled off. The West front is adorned with two towers and spires of a singular style. The pillars of the great tower which remain shew flowered capitals. The roof of the nave is of oak in square pannels painted with the arms of those princes and nobles who contributed to its erection. Among those at the West end the following were copied as faithfully as their height would permit.

. *Nova Aberdonia.*

G. in a bordure Arg. an open book A.

Abbas de Dunesifair.

A lilly.

Vetus Aberdonia.

G. on a chevron A. 2 lions passant, guardant.

Prioris Sanctandree.

Ducis Gl

Bocknasse comitis.

Paly of 6 O. and G. *Marischalli co*

G. an eagle displayed, O. *Sodorensis ep.*
Ducis Borbonie.
Regis Polonie,
Orchadum ep.
Eirolie co.

G, 3 roses or cinqfoils A. *Lefmoren. ep.*

This cieling was the work of James Winter of Angus, at the expence of bishop Dunbar. (See hereafter p. 19, 20.)

On the steeple wall within a fess cheque debruised by a bend engrailed. Q. bishop *W. Stewart* as before.

Bishop Stewart built the consistory house adjoining to the West end on the North. In it under a round arch lies a figure in a gown and hood, a lion at his feet; over him an inscription in black letter so overgrown with moss, that one can only read

hic jacet honorat vir m̄g Walfrodus

qui decessit 22 Aug. capitalis

die julii cujus aie propitiatus deus. Amen.

At the bottom of the South aisle called St. Machar's, then bishop Cheyn's, and now bishop Scougal's aisle, is a monument and bust of bishop Scougal, 1682.

The nave rests on seven pointed arches on a side with round pillars. This was begun by bishop Alexander Kinninmud, second of the name, 1357, having been burnt with great part of the town by the English 1333. At his death, 1370, the walls were got only six cubits high. The South door having an excellent porch

porch is called the *Marriage door*. Over it under a mitre is . . . quartering a spread eagle. The West front and towers begun by bishop Leighton were finished by bishop Dunbar: the great tower and steeple begun also by bishop Leighton were finished by bishop Elphinston. The North transept or St. John's aisle was built by bishop Leighton, who is buried at the North end of it. His effigy, *in pontificalibus*, on an altar tomb with a canopy, under which is this inscription in black letter.

Hic jacet bone memorie Henricus de Lichtoun utriusq; iuris doctor qui ad ecclesie Mozabien. regimen olim esset assumptus, ubi septennio presuit, demum ad istam translatus fuit, in qua 18 annos rexit, præsensitq; ecclesie fabricam a choze statione seorsum usq; ad summum parietum plene astruxit A. D. MCCCCL.

The bishop seems to have died before the laying on of the roof, which was blown in by a violent storm. The Marquis of Huntly bought this aisle for a burying place, 1680. (See p. 22.)

The South transept was built by bishop Dunbar, and is called his aisle. His figure, *in pontificalibus*, lies on an altar tomb, under a round flowered arch, at whose bases are his arms; 3 cushions pendant at the corners in a bordure, and those of Scotland. All that remains of his epitaph is the first word *Sub*. His body lies in a vault below. (See p. 21.) By him lies a blue stone for bishop Forbes, 1685, with his arms. The door into this aisle from the church yard is still remaining. In the same transept under another round arch of oak branches is another altar tomb with a bishop *in pontificalibus*, headless, a lion at his feet, and under his head a pointed helmet for a cushion Arms, a lion rampant *queue fourchée* debruised by a bend charged with three escallops. The East end and choir were begun to be rebuilt by bishop Elphinston, but left unfinished at his death; the clergy of this church undertook to complete his design in a magni-

magnificent manner, and brought out the high altar, and placed it in bishop Dunbar's aisle; but the Reformation coming on put a stop to the plan. In this church, besides the bishops abovementioned, were buried bishops Raith 1355, and Lindsay 1458, in the choir, and in the yard bishop Mitchell, 1662.

The bishop's palace stood at the East end of the cathedral communicating with the chancel, but only the site and fosses remain. The deanry with its revenue is appropriated to the minister of St. Machar, and has the arms of Scotland over the gate. The houses of the other prebends were mostly taken down about 1725, and little remains except the chapel in the prebendary of Kimardin's house, in which is or was on the stair *John Elphinston's* name. These houses were mostly on the West and North side of the chancel, as on the East were houses of the principal nobility, particularly the duke of Gordon, all within the close, which is entered by a gate called *Clugny's gate*, over which was a figure of the Virgin, the arms of Scotland and of Aberdeen (a pot of lilies), and on the inner face the arms of Scotland and Gordon. On it is this inscription: *M. Johannis Elph . . .* : under a cap a chevron between three bears heads muzzled.

*Dominus Alex. Gordon a Cluny miles me ædificari fecit, A. D. 1623,
florente Patricio Forbesio Aberd. epo.*

Among the ruins of houses within this gate is a door over which were carved two rude busts supercribed in capitals:

LADI DUX VENETUS PETRUS*; a shield with a cross.
&c

ANADIMUS BARBARUS.

The Trades hospital and Trinity church were built on the site of the convent of Mathurines†. On the former is the date 1711.

* This may mean Peter Landi, who was Doge of Venice 1538—1545, and had war with the Turks.

† Keith's Cat. 242.

Arms of Scotland supported by a lion and unicorn, and the arms of Elphinston.

On the top of a cross in the parting of the streets by the close, arms of Scotland, bishops Elphinston, Dunbar, and Stewart. At it is kept the six weeks market.

On a gate nearly fronting the college are bishop Elphinston's arms, and below them on a bend three stars.

Over a gate of an old house almost fronting the college, 3 cinquefoils in a border of 3 crowns and 3 cinquefoils alternately impaling 3 blackmoors heads. Crest, a crescent. Motto, *Crescat Deo promotore*.

The Dominicans had a house in Aberdeen founded by Alexander II.*

On the West side of the town is a modern free school.

On the sea coast a fort and remains of the castle destroyed by Cromwell.

* Keith, 271.





H I S T O R Y

O F

A B E R D E E N.

A Description of the CHANONRY in OLD ABERDEEN: Together with many curious, entertaining, and pleasant Remarks on the said Town, &c. for the years 1724 and 1725.

THE chanonry, or chañry, contained within it the cathedral church, the bishop's palace, the prebend's lodgings, their yards, gleibs, or little failis, the chaplain's court, or chambers; and an hospital for twelve poor men.

It had four ports, viz. 1. The South, commonly called Clunie's, yet remaining entire, with this inscription above it:

*Hæc ne vade viâ, nisi dixeris Ave Maria,
Invenies veniam sic salutando Mariam.*

Pass not this way, unless you say, Hail Mary,
By such a salutation, you'll obtain pardon.

Above it was likewise the effigies of the Blessed Virgin Mary; but it was broken down in the beginning of the Reformation, when the cathedral was ruined; as also, a pot with lilies, yet to be seen.

Ab Adriano Papa primo potestas facta Eduardo episcopo Aberdonensi instituendi Collegium Canoniorum, Anno Dom. 1157. 4 Id. Aug. Pope Adrian was the first that granted to Edward bishop of Aberdeen a power to institute a college of canons, August 4, 1157. This institution is lost.

In the reign of king Alexander II. anno 121, there was a *Studium generale in Collegio Canoniorum*, common school in the

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college

college of canons, where there were professors, and doctors of divinity, and of the canon and civil laws; and many learned men have flourished therein.

A second was at the parson of Kinkell's manse, commonly called Berfemore's Lodging, near Donidon, or Tilliedron. A third at the bishop's palace. And a fourth at the chaplain's court, or chambers. It was built by William Stewart, bishop of Aberdeen, and chancellor of Scotland, as witness his name on it; and stands yet entire, having above it the effigies of the Blessed Virgin Mary, defaced.

This chanry had strong high walls and dykes (for defence in troublesome times), whereof some part yet stands.

Several years after it was built, the bishop of Aberdeen, in process of time, sued out to people (to be inhabitants) both houses and land about this ancient city, which was first a village of four ploughs, and had a little kirk, where the cathedral now stands, called the kirk of Kirktown, dedicated to Saint Machar. But David I. or St. David, brought hither the bishop's fee from Mortlack, anno 1154; as appears by the following charter:

Charta primaria Ecclesiæ Cathedralis Aberdonensis, facta Nectano Episcopo Aberdonensi.

“David, Dei gratiâ, Rex Scotor’, omnibus probis hominibus totius terræ suæ, Clericis & Laicis, Salutem; Sciant præsentēs & futuri, me dedisse, concessisse, & hac præsentī chartâ confirmâsse Deo & Beatæ Mariæ, Beato Machario, & Nectano, Episcopo Aberdonensi, totam Villam de

The chief Charter of the Cathedral Church of Aberdon, granted to Nectanus Bishop of Aberdon.

“David, by the grace of God, King of Scots; to all the honourable men in his hail dominions, the Clergy and Laity, sendeth Greeting: Know all men, both present and to come, Me to have given, granted, and by this present Charter confirmed, to God and the Blessed Mary,

Vetere Aberdon; dimidiam aquam de Uorth, Sc lattie, Goule, Muriecroft, Kinmundy, Mameulach, & ecclesiam de Kirktown; Sciram de Clatt; Sciram de Daviot Tillienestine; Sciram de Raine, Sciram de Daviot, cum pertinentiis earundem, & ecclesijs; decimam canium navium, quæ veniunt apud Aberdon; decimam annonæ in eodem loco; decimam meam de redditibus de Aberdeen; decimam Thanagior', reddituum, ac escheatar' mihi contingentium infra Vice-comitatus de Aberdeen & Banff, tenend. & habend. dicto Episcopo Nectano, & ejus successoribus, in puram eleemosynam ita libere sicut aliqua eleemosyna in regno meo tenetur; teste meipso apud Farfar, Anno Regni mei decimo tertio, tricesimo mensis Junij."

St. Machar, and Nectanus, Bishop of Aberdeen, the haill village of Old Aberdon, half the water of Worth, Sc lattie, Goule, Muriecroft, Kinmundy, Mameulach, and the kirk of Kirktown; the Parish of Clatt; the Parish of Daviot Tillienestie; the Parish of Raine; the tithe of the ships called Snows, which arrive at Aberdeen; the tithe of victual there; my own tithe of the revenues of Aberdeen; the tithe of the Thanage-Revenues, and Escheats belonging to me, beyond* the Sherifffdom of Aberdeen and Banff, having and holding to the said Bishop Nectanus, and his successors, as a pure and free almsdeed, as free as any other of this kind is held to be done in my kingdom; as witness my hand at Farfar, the 13th year of my Reign, and 30th day of June."

A copy of the Charter and Ratification of Old Aberdeen, and its Privileges, granted in the Month of August, 1498.

"James, by the Grace of God, King of Scots, to all our good Subjects, as well Civil as Ecclesiastic, within the bounds of our Dominions, Salutation. Be it known that We, now having come to our ripe and perfect age of 25 years, have reduced to our memory, after our general Revocation of all Donations given and

* *Within.*

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granted

granted by Us in our tender age; and that We have found, both We and our Council, by our ancient Registers and Records, evidently that sometime our most Royal Predecessor, David, most glorious King of Scots, fued and erected the Vill of Aberdeen, with the bounds and pertinents, commonly called Old Aberdon, into an Episcopal Seat, and City for ever; with all rights and priviledges belonging to a City; and We repute and declare the said Vill to have been so fued and erected; and We anew again, having come to our perfect age, as is said before, do sue and erect the same, with the rights and liberties, and priviledges belonging to a City and University, with as great freedom and liberty as any City or University within our Kingdom is infest or possessed; and, for the more security and clear liberty of the aforesaid City and University, and also for the special devotion which We bear to the most glorious Virgin Mary, Patron of the Cathedral Church of Aberdon, in praise and honour of her; and, for the singular favour and love We bear towards the Reverend Father in Christ William Elphinston, present Bishop and Prelate of the said Cathedral Church, our well-beloved Chancellor, Keeper of our Privy-Seal; and for his faithful and willing service freely undertaking great travel and expences at diverse times in our employments, and ambassages to the Kings and Kingdoms of France and England, to the Dukes of Burgundy and Austria, and other Potentates, and foreign Parts, and in our service within our Kingdom, for the common Wealth and Tranquillity thereof diverse ways by him accomplished; and also, for the unity, quiet, and necessary sustentation of the Reverend Father and his Successors, Chapter, Canons, Chaplains, and Substitutes of the aforesaid Cathedral Church, and University of Aberdeen, and their domestick servitors there residing; We have created, made, and fued, now of new as before; and, by the tenor of this our present Charter,

We

We create, make, and fue the aforefaid Vill of Aberdon, with the bounds and pertinents, into a City and Univerfity, and into a meer free Burgh of Barony for ever. We have granted likewise, and by thefe Prefents grant to thofe, who inhabit, or thofe who in time coming fhall inhabit the fame, full power and liberty of buying and felling within the fame Burgh Wines, Wax, Cloth, woolen and linen, broad and narrow, and other Merchandize; and of having and keeping Bakers, Brewers, and Butchers, as well of Flefhes as of Fifhes; and other Craftfmen of Trades whatever manner of way belonging to the liberty of an Burgh of Barony. And alfo, We have granted, and do grant, that in faid City, Univerfity, and Burgh of Barony, there be Bailies, Serjeants, and other Officers, neceffary for the government of the fame. And, We grant to the faid Reverend Father, and his Succelfors Bifhops of Aberdeen, full power and liberty of choofing, appointing, and ordaining yearly the faid Provoft and Bailies, Serjeants, and other Officers neceffary; and in putting and removing the faid perfons to and from their refpective offices, as they fhall find expedient; and they fhall have a Crofs and Mercate-place at the fame, and the Mercate-day every Munday; and public Fairs every year for ever, viz. one on the Supper of our Lord before Pafch, commonly called Skeir-Thurfday's Fair; another on the day of St. Luke the Evangelift, throughout the whole eight days; with all emoluments, liberties, and priviledges belonging, or which juftly do belong, to Luke's Fair, and to a free Burgh of Barony, and to a City and Univerfity, all manner of way; as alfo, We have given and granted, and by this our prefent Charter We give and grant to the Reverend Father, and his Succelfors, Chapters, Canons, Chaplains, and Subftitutes of the Cathedral-Church, City, and Univerfity aforefaid, now prefent, and to come, full priviledge, liberty, and power of buying all forts of Victuals, Wines, or other Merchandize, brought within our Port of Aberdon,

don, or without the same, by any of our lieges whatsoever; or strangers of other kingdoms, resorting thither for our commodious utility; both for the House-Sustentation of themselves and Families; and of selling again the said Victuals, Wines, or Merchandize; or, by and attour of trafficking and the merchant, any manner of way; as it has been in times bygone inviolably observed, of holding and possessing the aforesaid Vill of Aberdon; the said bounds and pertinents of a City and University, and as a meer and free Burgh of Barony, to the said Reverend Father, and his Successors, Chapter, Canons, Chaplains, Substitutes; and to such as do inhabit, or shall inhabit in time coming for ever, the aforesaid Priviledges, &c. Charter and Gifts; and all other Liberties and Profits, Commodities and Easements whatsoever, justly belonging thereunto, as well nominate as innominate, appertaining, or that may justly appertain, any manner of way, in time coming, to a City, University, and free Burgh of Barony; and as freely, quietly, and fully, wholly, honourably, well, and in peace, in all and through all, as in any City, University, Burgh of Barony, within this Kingdom, in any time bygone has been used or possessed, our aforesaid general Revocation no ways gainstanded, and without any Revocation, or Contradiction of Us, or our Successors whatsoever, to be made any manner of way in time coming, upon the premisses. In testimony whereof, We have commanded our great Seal to be appended to this our present Charter, before Witnesses; our most dear Brother James Archbishop of St. Andrew's, D. of Ross, &c. the Reverend Father in Christ Robert Archbishop of Glasgow, the aforesaid William Bishop of Aberdon, our beloved Cousin George Earl of Huntley, Lord Badenoch our Chancellor, Archibald Earl of Angus, Lord Douglas, Patrick Earl of Bothwell, Lord Hills, Alexander Lord Hume our Chamberlain, John Lord Drummond our Justice, the Venerable Father

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in Chrifft John Prior of St. Andrew's, George Abbot of Cambuskenneth, Sir Robert Lundie of Balgowney Knight our Treasurer, and our beloved Clerk Mr. Richard Mairhead Dean of Glasgow our Secretary, Robert Wallace Archdeacon of St. Andrew's, and Walter Drummond Dean of Dumblane, Clerks of our Rolls, Register and Council.—At Linlithgow, the 21ſt day of the month of Auguſt, the Year of God One Thouſand Four Hundred and Ninety-Eight, and the Eleventh of our Reign.”

N. B. This Charter, tranſlated from the original Latin Copy, was ratified in Parliament, Anno 1661.

The biſhops of Aberdon, being ſuperiors of the city of Old Aberdon, have the nomination of the provofts, bailies, farjeants, and other neceſſary officers of the ſaid city, and did always (except when they were laid aſide) chuſe gentlemen of diſcretion and underſtanding.

The biſhop's courts, viz. preſbytery, ſynods, the courts of his vaſſals, and commiſſary-court, all which ſat here, did much contribute to and advance the good of this place. In the ſaid city there was an election every year of the magiſtrates and town council, conſiſting of nineteen perſons of good reputation and knowledge; the treaſurer, deacons, conveener of trades, and town's officers.

It was called Aberdon, becauſe ſituated near the river Don; ſeveral years before king David I. (who erected it into a Burgh of Barony, 1124; the old records being loſt through the troubles of the times) brought the biſhop's ſee to it. It is likewiſe called the city of Old Aberdon by king James IV. in his ſaid charter; tho' James Skene, in his book of the Deſcription of the City of Aberdeen, thinks that the old town ſhould not be called a city, which is a reflection on the dignity of the place. He alſo ſaith in his ſaid book, That Aberdeen was built anno 1333. But Hector Boeth, Boetius, or Boyes (deſcended from the Boeths of Panbride in Angus) whoſe authority is better, and more to be believed,
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in his history informs us, That Aberdeen was burnt anno 1333, by the Englishmen for six days together, and that they came to Old Aberdeen, and burned also the prebend's lodgings and the bishop's palace at the same time. Spotswood says, that Nectanus, when king David brought hither the bishop's see, was the first bishop here, and sat 140 years at Mortlach, and seventeen at Aberdeen.

A list of the BISHOPS of Aberdeen.

King Malcolm II. in memory of the defeat he gave the Danes at Mortlach, founded there a bishop's see, anno 1010, and preferred one St. Bean to be the first bishop.

2. Donatius.

3. Cormachus.

4. Nicholas. who reigned seventeen years.

King David I. translated the bishop's see from Mortlach to Old Aberdon, anno 1154.

5. Edward, called the Maiden, in king Malcolm's time.

6. Matthew Kininmonth, who founded the church of St. Machar.

7. John, prior of Kelfo.

8. One Adam, in King William's time.

9. Mathew, chancellor, preferred by king Alexander.

10. Gilbert Stirling.

11. Rodulph, abbot of Aberbrothock.

12. Patrick Ramsay, in king Alexander III.'s time.

13. Richard Pottach, an Englishman.

14. Hugh Benham.

15. Henry Cheyne, nephew to lord Cumming.

16. Alexander Kininmonth, doctor of divinity, in Aberdeen.

17. William Deans, doctor of divinity, in whose time the town of Aberdeen was burnt by the English six days together.
18. John Reith, doctor of divinity, buried in the quire.
19. Nicholaus, in king David Bruce's time.
20. Adam Cuningham.
21. Gilbert Greenlaw.
22. Henry Linctoun, buried in St. John's isle, which he built, anno 1441.
23. Seven years after him Ingraham Lindfay, doctor of the canon laws.
24. Thomas Spence, bishop of Galloway.
25. Robert Blacaster.
26. William Elphingston.
27. Alexander Gordon.
28. Gavin Dunbar, died anno 1531.
29. William Stewart, son to the earl of Huntley.
30. David Cunningham.
31. Patrick Blackburn, 1st Protestant bishop.
32. Alexander Forbes.
33. Patrick Forbes, laird of Corse.
34. Adam Ballantine, deprived by the Covenanters.
35. King Charles II. being restored, caused consecrate David Mitchell bishop of Aberdeen, 1662, who departed this life Jan. 1663, and was buried beside bishop Forbes of Corse, in Gavin Dunbar's isle.
36. Alexander Burnet, buried anno 1663.
37. Patrick Scougal.
38. George Haliburton, died anno 1715.

Before this chantry was erected, the bishop of Aberdeen lived in his lodging at Lochgoule, now called the Bishop's Loch; for bishop Benham died in the said lodging: and historians say, (*in-fidiis occubuit*) he was worried; and others affirm, that he died of the cattarrh. There is a little piece of rising ground within Lochgoule, which was surrounded with the water thereof, where the bishop had his lodging, consisting of a large hall, which stood East and West; a large office-house at the West, and another at the East end of the said hall; and at a little distance, upon the South side of the said hall, stood the bishop's oratory, East and West. The *vestigia*, or remains, of all which are yet to be seen, and the said Loch was compassed about with a wood of trees. There was a draw-bridge for passing to the bishop's lodging. Henry Pantoun of Hilton, was the first that drained some of the water of this Loch, by casting a great deep ditch on the West end, to convey the water to his mill, which did him no service upon that account. But it is so drained, that in summer one may easily go to the place where the bishop's lodging stood; but in winter the water of Lochgoule surrounds it. In the said Loch is abundance of pikes, and no other fishes, because no other burn runs into it; but at some distance from it are other two; the one called the Corby, and the other the Lilly-Loch; in both of which are trouts and eels, because of a burn running to and from them.

Of the BISHOP'S LOCH, and CUSTOMS of Old Aberdeen.

This loch at first is thought to have been a moss, and being cast for peets turned into a loch of water. Anno 1601, king James VI. as coming in place of the bishop's dean, &c. gave a charter under the great seal to Thomas Gairden of Blairtown, commissary-

commiffary-clerk of Aberdeen, of faid loch, lying on the Weft territories of Old Aberdeen, commonly called of old the Dean's Loch, with the customs of the faid town, for payment of 6s. 8d. Scots of fue duty yearly, at Whitfuntide and Martinmas in winter, by equal portions. He was infeft in this Loch and customs, Jan. 23, 1602, &c. Having obtained the faid right and title, he became uneasy to the inhabitants of Old Aberdeen, and ufed much diligence againft them thereanent. But, anno 1604, there was a fubmiffion drawn betwixt them; and Sir Thomas Gordon of Cluny, being their provoft, took burthen upon him for the inhabitants.

Anno 1605, in prefence of the magiftrates of faid town, compeared Thomas Gairden, anent the felling of the loch and customs, and offered them by reason of the faid fubmiffion, for 300 merk, to the council and inhabitants; but they would not agree to the propofal. The court of Old Aberdeen, holden by Sir Alexander Gordon of Cluny, provoft, and bailies, April 17, 1613; the faid day it was ordained by them, with the counfel of the inhabitants, That the Bifhop's Loch and customs of Old Aberdeen, fhould be bought from the faid Thomas Gairden; and that all the faid town, college-bounds, and chanry, fhall be fainted for the fum of twelve fcore merks, to be paid to him within days; but this overture took no effect. Anno 1615, November 27, Robert Gairden of Blairtown, eldeft fon to the aforefaid Thomas, procured from Patrick bifhop of Aberdeen, a precept for infefting him in the faid Loch and customs, he paying the aforefaid fue duty; and upon November 28, in the faid year, was infeft therein, designed commiffary-clerk of Aberdeen. Anno 1616, Oct. 7. Robert Gairden of Blairtown fett and affeffed to the provoft and bailies of the faid town the haill customs, weights, and meafures, for the fpace of three years next following the date of thefe pre-

fents, for which the inhabitants were to pay a certain duty. The said Sir Alexander Gordon of Cluny, when he lived in the chañry, had a summer-house in the middle of the said loch, and a pleasure boat upon it, for passing and re-passing to the said summer-house. Anno 1630, March 12, James Cruikshank, merchant in Aberdeen, comprized the said loch and customs from the said Robert Gairden, commissary of Elgin, and procured a charter from the said bishop; was infest the 7th of April, and registered the 8th ditto, of the said year. Anno 1647, December 14, as is narrated in the town's court-books, the said James Cruikshank of New-hills, burges of Aberdeen, by his letters of disposition, making mention, that Alexander Gordon of Bersmore, provost of Old Aberdeen, John Forbes of Tweland, and Mr. John Lundie, humanist, and Thomas Mercer, bailies, having paid to the said James Cruikshank the sum of 350 merks Scots, for themselves and in name and behalf of the citizens of the said town; therefore the said James Cruikshank disposes to the said provost and bailies, council, and community of the said town and their succeffors, heritably, the loch and customs of Old Aberdeen, as firlots, pecks, and other measures whatsoever heritably pertaining to the said James Cruikshank, with the haill brew-customs, which disposition contains a precept of fazine. And, seeing the said provost and bailies were relieved of the aforesaid sum of 350 merks for the said loch and customs; therefore, they dispone for them, their heirs, executors, or assigns, to and in favours of the city of Old Aberdeen, council, and community thereof, the loch, and haill customs, firlots, pecks, and other measures, and brew-customs thereof, to remain heritably for ever with the said town; and this to be put in a box, two keys delivered in custody to two heritors of the said town, to be chosen by the council; also, with all other securities belonging to the said town, to be put into the said box,

box, and the common good to be employed for the benefit of the said city, by advice of the council; which disposition was subscribed by the said provost and bailies of Old Aberdeen, Jan. 6, 1655.

After that the said loch came into the magistrates and council's hands they settled the grafs thereof yearly, for 10 merks Scots. Anno 1662, February 4, there was a meeting holden by the bailies, council, and hail community of Old Aberdeen; which day it was ordained, That any man who would take the loch, should have the sett of the same for the space of 19 years, and his entry to be presently at the taking thereof; and shall have a man-servant out of every house of the town, to work a day's work upon his own charges, and shall have liberty to stank or ditch it, for draining thereof, for which he shall pay yearly to the town of Old Aberdeen, the sum of 10l. Scots, the one-half at Whitsunday, and the other half before Michaelmas, and shall find two sufficient cautioners for paying due duty of the said loch. James Gordon of Seaton, being one of the bailies at that time, takes the said loch from the rest of the bailies and council, on the terms above-written.

He ditched it round about, and planted it with stanks, with a ditch through the middle of it, and so drained it. During the space of his tack he had plentiful crops of corn upon it, and when his tacks were run out, the town took it into their own hands, and roused it annually. Then, the ditch which was round it was filled up, and made corn-ground. Anno 1668, May 11, Patrick Scougal, bishop of Aberdeen, as superior of the loch and customs of Old Aberdeen, granted a charter in ample form to the magistrates, council, and community of Old Aberdeen, concerning the said loch and customs, they paying the said due-duty yearly. They were infeft June 12th, and registered June 22d, 1668.

Anno 1723, it was roused at 49l. Scots yearly, which the tackfman must pay yearly during his tack. And it is to be noted, that the loch paid yearly; and that for the space of nine years successively, before the tackfman, viz. Colin Ritchie, roused for the said loch and customs. The said loch, abstracted from the customs, paid 60l. 12s. Scots, with a farthing of defalcation; and the said sum was punctually paid by Mr. William Chrystie, master of the said music-school of Old Aberdeen, for all the said nine years, as can be made appear by his receipts and discharges from the treasurer of the said town: as also, their respective accounts instruct.

Of the CATHEDRAL.

Matthew Kininmonth, archdeacon of St. Andrew's, a man famous for learning, and other excellent virtues, was elected bishop of Aberdeen, anno 1163, in whose time the cathedral began to be built unto the memory of St. Machar, to whom Malcolm IV. surnamed The Maiden, because never married, (who succeeded his grandfather, king David I. a good prince) granted the following charter, viz.

“ Milcolumbus, Dei gratia
Rex Scotorum, omnibus probis
hominibus totius terræ suæ,
clericis & laicis, salutem; sci-
ant præsentēs & futuri, Me de-
disse, hâc chartâ meâ confirm-
âsse Deo & Beatæ Mariæ, Beato
Machario, & Matheo, Episcopo
Aberdonensi, totam Villam de
Vetere

“ Malcolm, by the grace of
God, King of Scots, to all ho-
nourable men in his haill do-
minions, the Clergy and Laity,
sendeth greeting; know all men
both present and to come, Me to
have given, and by this my
Charter confirmed to God, and
the Blessed Mary, St. Machar,
and

Vetere Aberdon, cum Ecclesiâ de Kirktown, & pertinentijs; dimidiam aquam de Don, Sclattie, Goule, Muiriecroft, Kinmundy, Mameulach, Tilliegrig; Sciram de Clatt, cum pertinentijs & ecclesiam; Sciram de Rayne, cum pertinentijs & ecclesiam; Sciram de Daviot, cum pertinentijs & ecclesiam; & ecclesiam de Fetterneer, cum terrâ ejusdem & pertinentijs; ecclesiam Beati Nicolai de Aberdon cum pertinentijs; terras de Ellon, cum pertinentijs; ecclesiam de Auchterlefs, cum terris & pertinentijs; ecclesiam de Oyne, cum terrâ & pertinentijs; ecclesiam de Invercruden, cum terrâ & pertinentijs; ecclesiam de Banchery-Devoneif, cum terrâ & pertinentijs; ecclesiam de Belhelire, cum terrâ & pertinentijs; decimam canium narium, quæ veniunt apud Aberdon; decimam annonæ in eodem loco; decimam de redditibus meris, & omnium escheatarum me contingentium, inter duas aquas, quæ Dee & Spey dicuntur; decimam thanagiorum meorum,

and Mathew, Bishop of Aberdeen, the haill vill of Old Aberdeen, with the kirk of Kirktown, and the pertinents; half the Water of Don, Sclattie, Goule, Muiriecroft, Kinmundy, Mameulach, Tilliegreig; the Parish of Clatt, and a kirk with the pertinents; the Parish of Raine, and a kirk with the pertinents; the Parish of Daviot, and a kirk with the pertinents; and the kirk of Fetterneir, with its land and pertinents; the kirk of St. Nicolaus of Aberdeen, with the pertinents; the lands of Ellon, with the pertinents; the kirk of Auchterlefs, with the lands and pertinents; the kirk of Oyne, with land and pertinents; the kirk of Invercruden, with the land and pertinents; the kirk of Banchory-Devenick, with the land and pertinents; the kirk of Belhelvie, with the land and pertinents; the tithe of the ships called Snows, which arrive at Aberdeen; the tithe of victual there; my own tithes of my revenues, and all the escheats belonging to me, betwixt the
two

meorum, & escheatarum meo-
contingentium, infra Vice-com-
mitatus de Aberdon & Banff,
tenend. & habend. dicto Episco-
po, Matheo, ejusque successoribus,
in puram & liberam eleemo-
synam, sicut aliqua eleemo-
syna in Regno meo tenetur li-
berius, aut possidetur; teste
meipso, & Eduardo Cancellario,
et Joanne apud Stirviling,
vicefimo die Aug. Anno Regni
mei undecimo."

two Waters called Dee and Spey;
the tithe of my thanagies, and
escheats belonging to me, be-
yond * the Sherifffdoms of Aber-
deen and Banff, having and hold-
ing to the said Bishop Mathew
and his successors, for a pure and
free alms-deed, as any such is
held to be done in my kingdom;
asw itness my hand, and the
hands of Edward Chancellor,
and John at Striviling, the 20th
day of August, and the 11th
year of my reign."

Malcolm IV. granted him another of the Barony of Murchil,
with common pasturage in the Forest of Aberdeen, as follows:

" Milcolumbus, Dei gratiâ
Rex Scotorum, omnibus probis
hominibus totius terræ suæ,
clericis & laicis, salutem; sci-
ant præsentēs & futuri, me de-
disse, & hâc chartâ meâ con-
firmasse Deo & Beatæ Mariæ,
Beato Machario, & Matheo,
Episcopo de Aberdon, totam
baroniam meam de Murchil,
cum pertinentijs; & pasturam
in Forestâ meâ de Aberdon, ita
ut liceat unam Forestarum de
quatuor

" Malcolm, by the grace of
God, King of Scots, to all the
honourable men in his hail
dominions, clergy and laity,
sendeth greeting; know all men,
both present and to come, Me
to have given, and by this Char-
ter confirmed to God and the
Blessed Mary, St. Machar, and
Mathew, Bishop of Aberdeen,
my hail Barony of Murchill,
with the pertinents; and pas-
ture in my Forest of Aberdeen,
as

* *Within.*

quatuor ibidem residentibus, eligere & habere, in puram & perpetuam baroniam; faciendo inde mihi servitium, & juramentum fidelitatis, sicut alii barones regni mei faciunt; salvis sibi dignitate episcopali, & libertate clericali; & contra istas libertates nolo ipsum vel successores ejus in aliquo argueri. Teste me ipso apud Banff, die decimo quinto Novembris, anno regni mei undecimo."

as he pleases, any one forest of the four, lying as above-mentioned, to chuse, or have for a perpetual Barony; he always serving me, and making oath of fidelity, as other Barons of my kingdom do; excepting to himself the dignity of a bishop, and the liberty belonging to the clergy; but beyond these bounds, neither he nor his successors must by any means pass; as witness my hand at Banff, the 15th day of November, and 11th year of my reign."

King William, surnamed the Lion, succeeded his brother Malcolm IV. anno 1165, and confirms the aforesaid charters to Matthew Kininmonth, and grants him the land of Brafs, now called Birse, with the forrest thereof, by a large charter in Latin, the 5th year of his reign; all which charters are in the chartulary of the King's college of Aberdeen.

Alexander Kininmonth, the first of that name, who became bishop of Aberdeen about anno 1329, built the bishop's lodging in the chanry, as also his summer-house at Fettermear. In the said bishop's time, Aberdeen was burnt by the English six days together, anno 1233; and the bishop's, and canon's lodgings were all burnt at the same time, as saith Boetius. Alexander Kininmonth, second of that name, who became bishop of Aberdeen, anno 1357, caused demolish said old church, esteeming it not beautiful enough for a cathedral, and laid the foundation of

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another

another more magnificent, but died before the work was raised six cubits high, anno 1370. Henry Lichtoun, bishop of Murray, being translated to the bishoprick of Aberdeen, anno 1424, built St. John's isle upon the North-East end of the cathedral, anno 1430; laid the foundation of the great and two lesser steeples, and advanced the fabrick very much. The roof was laid on, of excellent red firr, curiously and strongly built; the church slated, and floor paved with free-stone, by bishop Lindsay, anno 1445. Bishop Spence, being translated from the bishoprick of Galloway to Aberdeen, one of an active spirit, repaired the bishop's lodging in the chañry, which lay waste and ruinous since the burning thereof by the English, as also the stalls in the chancel, with an excellent chair for the bishop's use, and advanced it with many brave ornaments, anno 1460. He glazed the church, and gave many donations to it. William Elphinston, who became bishop of Aberdeen, and thereafter chancellor of Scotland, perfected the great steeple on the East end of said church, which was a mark for sailors in those days, and furnished it with 14 tuneable and costly bells, three whereof were very great, anno 1489. They hung on great oak trees a little from the said steeple, which stood upon four arch pillars, pended above very high. There was a battaline round about said steeple, which was built four^t square, and four story high above said pend, for from it were 24 steps of a ladder to a little four cornered chamber; and above it a square tower, with a stang on the top of it five ells in length, with a great globe of brass above the first cross of said stang; and above the second cross was a cock an ell in length of brass, and his breast of copper, which stang, globe, and cock Mr. David Corfe, a presbyterian minister of this church, disposed of. In the said pend was an oval vacuity, through which came a rope from the bells, down to the church floor, wherewith the beadle rung one of the said bells to sermon, after the Reformation. From the founding
of

of said great steeple by bishop Lichtoun, to the perfecting thereof by bishop Elphinston, were 59 years. The said bishop Elphinston leaded the church, and got money from king James IV. to perform the same. After this he began to consider the condition of the quire, which king Robert Bruce ordered the bishop of Aberdeen to build, finish, and complete, it not being so great and so fair as became a cathedral. He began to build it, and prepared materials, but there was only a very small part thereof built when he died, anno 1514. The clergy in the chaſtry took the roof, flates, and some other materials of the said quire, to build and perfect it most magnificently, and brought the high altar out of it, and placed it in bishop Gavin Dunbar's isle; but delayed the building thereof so long, that the Reformation was beginning, which put a stop to their intentions, as some write. Gavin Dunbar, who became bishop of Aberdeen anno 1518, perfected the lesser steeples on the West end of the said church, and laid on a cake of lead upon the walls where he began to build, to distinguish his work from what was formerly built, which is yet to be seen above the battalines; the two lesser steeples have both cross-thanes of iron upon their tops, yet standing. He built also the South isle, anno 1522. From the founding of said steeples by bishop Lichtoun to the perfecting of them by bishop Gavin Dunbar were 92 years. The height of one of the Western steeples, from the pafe to the stop of the stang, are 37 yards two feet and seven inches; and the other is conform.

In like manner he ceiled the church with the finest oak, of such excellent work, that there is scarce any like it to be seen in this kingdom, which, as related by tradition, was of expence eight pounds Scots money; a great sum in those days.

Hereon are painted the names of those persons who probably contributed and advanced something for the building of the fabrick of the church, with their designations and armorial coats

1. The emperor, and foreign kings and princes. 2. The pope; and all the Scottish bishops. 3. The Scots king and his nobles, all in a strait line. And upon the border of the North side is painted a succession of the bishops of Aberdeen; and upon the South side Malcolm II. who ordered the church of Mortlach to be founded and built, and made an episcopal see, with other Scottish kings; and St. David king of Scotland, who translated the bishop's see from Mortlach to Aberdeen. Bishop Gavin Dunbar was at all the pains and expences of said cieling. James Winter, an Angus man, was architect of the timber work and cieling of said church; which was well done, and may make his name famous to after-ages. William Stewart, who succeeded bishop Gavin Dunbar, and became bishop of Aberdeen about anno 1532, and thereafter Lord Chancellor of Scotland, built the Consistory-house in said church, as witness his name on the wall thereof, anno 1559, lately obliterated by the plaistering and washing of the walls of the church. This is now called the session-house, where the minister and elders keep their meeting anent church affairs, from which is an entry to a secret room under the North lesser steeple, called the charter-house, which contains the evidents, charters and records of the church and session. After the death of king James V. the English invaded Scotland, anno 1544; and the said bishop Stewart took away the ornaments and jewels of said church, and sent them by the bridge of Don to the country, in order to preserve them. But James Forbes of Corfendac, with his associates, met at said bridge, took them by force and violence, and would restore none of them till bishop Stewart paid him 600 merks; but the rest he never restored, but applied them to his own use, in value 700 merks; for which sacrilege he was excommunicated, and 'tis remarkable, that his family never prospered thereafter; witness the charity in the King's college. In said church were 32 windows; the

the greatest above the West door; 18 storm ones; of which those in the back of the church have been closed up since the Reformation. The South isle, or bishop Gavin Dunbar's, which he caused to be built, hath two large windows yet standing, and had another which is fallen; and hath a door to enter into it from the church-yard. He hath an excellent tomb upon the South end of said isle; his effigies without, at length, of marble, with a vault below well built, and paved with hewn stone, where he lies, and a large stone for covering said vault above. But the fanaticks have defaced the tomb, obliterated the inscription, and broken his effigies in pieces, together with a part of the stone that covered the vault. The masters of the college, anno 1725, caused workmen to take down the top of this isle, to help to build anew the South side of the college. St. John's isle, built by bishop Lichtoun, as is said, on the East end of said cathedral towards the North, had three windows, and 10 storm ones; and a door to enter into it from the church-yard. Both these isles had battalines, and buttrages round about them, with cross thanes of iron on the top of each of them. In said St. John's isle bishop Lichtoun hath a tomb in the North end, with his effigies cut out of stone, *ad longum*, yet to be seen, with the mitre on his head, and the pastoral staff in his hand; which was broken down by the fanaticks, about anno 1693. The inscription on his tomb:

“ Hic jacet bonæ memoriæ,
Henricus de Lichtoun, utriusq;
Juris Doctor, qui Ecclesiæ Mo-
ravienf. Regimen olim efflet af-
fumptus, ubi septennis præfuit,
demum ad istam translatus fuit,
in quâ 18 annos rexit, præ-
fentiq; ecclesiæ fabricam à
choro

“ Here lies, of blessed me-
mory, Henry of Lichtoun, Doc-
tor of the Civil and Canon Laws,
who having for some time taken
upon him the government of
the Church of Murray, where
he presided over them for the
space of 7 years, was at last
translated

choro statione feorsum usque
ad fummitatem plene astruxit,
Anno Dom. millesimo quadringentesimo quadragesimo.”

translated to this Church,
wherein he reigned 18 years.
He laid the foundation of the
quire, and very much advanced
the fabrick of said Church, anno 1440.”

The said Marquefs of Huntly, about anno 1630, bought St. John’s isle from Dr. Alexander Scroggy, minister of St. Machar’s church, and the session thereof, for a burial place to his family, for which he paid them 300 merks; the annual rent whereof to be employed in helping the cathedral. As also, the said Marquefs obliged himself to pay all the burial-lairs that should be interred in said isle; which should be employed for upholding and maintaining said isle. All which is done by a charter, which the session hath in custody to this day; and upon this account it is now called the Gordon’s isle. There was a dyke built about fix quarters high, to distinguish from the church.

Anno 1719, November 26, at night, the top of this isle was thrown down by an extraordinary tempest of wind and rain, which broke the grave-stone of Sir Alexander Gordon of Clunie; and that which Bailie Gordon laid on his father Mr. William Gordon, late minister of Kintore, his mother Janet Keith, and his wife Mary Irvine; who was the first interred by the English service, anno 1713, near bishop Lichtoun’s isle, either in St. Machar’s church-yard, or any other in the North of Scotland. In the West end of said church is an isle opposite to the consistory-door, of old called St. Machar’s, thereafter bishop Cheyne’s, and now bishop Scougal’s isle, where his effigies stands cut out of stone, *ad longum*, with his armorial coat and motto, *Confido, sed caveo*; and also a large inscription in Latin, exactly as follows:

“ Hic

“ Hic in Christo requiescit, R. Patricius, Episcopus Aberdonensis; D. Joannis Scougalli de eodem filius, vir omni elogio dignus, utpotè piè pacificus, modestè prudens, eruditæ probitatis decus & exemplar, nec morosè gravis, nec superbe doctus; egenis, dum viveret, præfens asylum; basilicam Sancti Macharij, bibliothecam Collegij Regij, necnon hospitium publicum Vet. Aberdoniæ, propensæ munificentæ, indiciis haud spernendis ditavit. Ad Episcopale munus consecratus die Paschatis, Anno 1664. fatis cessit, Feb. 16, Anno Salutis 1682, Episcopatus 18, Ætatis verò suæ 75.

“ Hoc Monumentum, quale quale, piæ memoriæ charissimi parentis sacravit Mr. Jacobus Scougallus, Diocefsos Commissarius Aberdonensis, 1685.”

“ Here lies, in hopes of a blessed Resurrection, the Reverend Father in God, Patrick bishop of Aberdeen, son to Mr. John Scougal of that ilk; a man worthy of all commendation, as being piously peaceable, modestly prudent, an honour and pattern of learned probity; not morosely grave nor proudly learned; to the poor, while he lived, a present help in time of need; he enriched the Cathedral of St. Machar, the Library of the King's College, and also the Hospital of Old Aberdeen, with considerable tokens of his great bounty. He was consecrated Bishop on Easter-day 1664. He died February 16, 1682, the 18th year of his bishoprick, and 75th of his age. Mr. James Scougal, Commissary of the Diocess of Aberdeen, consecrated this stately Tomb to the pious memory of his most dear Father, 1685.”

In the face of the cathedral were ten pillars on the South side within the toofall; and as many on the North side thereof. This church hath also three doors; the West is the principal one, where
the

the Popish clergy entered at the time of their processions, &c. the second is the South or marriage-door, having an excellent porch; and the third is the North-door, &c.

The toofalls on the South and North sides of said church have buttrages; and so hath the said porch yet to be seen. The great steeple had some windows; and the two lesser ones have battalines, flits, windows, and buttrages yet to be seen. The passage to the bells in the great steeple was from the South lesser steeple, by a battaline under the easing of the slates of said church; and there was another battaline under the easing of the slates of the toofall; with doors in the lesser steeple to go to the great one, and bishop Gavin Dunbar's isle. In like manner there were two such battalines in the North side of said church, with doors in the North lesser steeple to go to St. John's or bishop Lichtoun's isle, which battalines were taken away since the Reformation, because the church could not be preserved from rain. This cathedral had an asylum, a girth or sanctuary, and girth-cross, which stood in the bishop's dove-coat green, as witness a chartulary in the King's college. These girths were first appointed in imitation of the cities of refuge under the law, to which the man-slayer who had killed one unawares might flee for safety. Numb. xxxv. 15. Deut. iv. 41. and xix. 2. The first mention made of those girths is in the statutes of William the Lion king of Scotland; and they continued here in cathedrals till the beginning of the reformation of religion. If the manslayer came to the girth-cross he could be no further pursued, but the clergy received him into the cathedral-church, where he was kept till the matter of the slaughter was tried, &c. King James III. makes an act in his third parliament anent the rectifying of girths; that, where the committee of slaughter on fore-thought felony flee to the girth, the sheriff require him on caution, and take trial by inquest, if the crime, committed by him on fore-thought felony

(tanquam

tanquam insidiator per industriam), then he was to be punished; if not, restored to the girth. King James V. makes an act in his fourth parliament, That all masters of girths make deputies under them, dwelling near the girths, who may be charged to deliver all committers of slaughter on fore-thought felony; and if those bailies being charged refuse to deliver, that they may be rigorously punished in their bodies and goods. This act was made, because the master's spiritual men were said to refuse to deliver transgressors this way: the committers of slaughter coming to girths and girth-crosses, and staying in cathedrals, in process of time the laws of Scotland came to be contemned, and the subjects trappanned, which occasioned the aforefaid rectification of all the girths and girth-crosses in this kingdom, pertaining to cathedrals. This church had also a large baptizary belonging to it, and a large church-yard, the North dyke whereof was placed at the foot of the brae, where St. John's Wells is, the water of which was brought into the church at the North door, for baptisms, and cleaning the vessels of the temple. It had a great clock and sundial in the time of the Popish clergy. King James I. brought into Scotland the organs, but it seems this church had none. At the dedication thereof the text was Rev. xxi. 2. to the middle of 25th verse.

Of the BISHOP'S PALACE.

The said palace (which stood at the end of the cathedral and chancel) was a large court, having four towers, one in every corner of the close, and a great hall and chambers, where the bishop dwelt. On the South side of the close were an outer and an inner port; in the middle, a great deep well. He had also a passage by an iron gate, from the lodging into the chancel, and

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from

from that into the church, which was easy and convenient for him. This court had also a water-gate to go to the water of Don, and the ward, which was on the North side of his lodging, surrounded with a strong faill-dyke, in which is the hay-yard, yet to be seen; and some mark of the bow-buts, at the foot of the South brae of said ward. His garden was at the South-East side of his close, which yet remains entire, lying betwixt the court and the chaplain's chambers. In the middle, upon the West dyke, there was a summer-house, three stories high; so that upon the top of it one would see the town and all the fields about it. This garden hath high dykes; and in the North dyke were several flits, which perhaps were made to let the good air of the garden come into the toofalls, and several apartments of this lodging. The said court had a back-close, which contained the office-houses; and an entry from it to go into the bishop's green, which was surrounded with a dyke, on the North side whereof stood the bishop's dovecote; and in the end of it there was another gate, to go to the Seaton and bridge of Don.

Of the PREBENDS and their MANSES.

The prebends or canon-regulars had large lodgings, yards, and gleibs, or little tailis at the end of their yards. They were the bishop's chapter or council; he could do nothing without them; therefore they were obliged to live near him, that they might be ready on all occasions when he called for them to go about church affairs. They were parsons of churches in the country, and had curates under them, who performed divine service at their respective churches; and the prebends who were canon-regulars, preached in the temple or cathedral at the time of high festivals; and on week-days taught lessons of divinity, of the canon and civil

civil laws, in the chantry, before the University was erected, as is said; and sometimes visited their churches in the country. Peter Ramsay, who became bishop of Aberdeen about anno 1246, having received orders from Pope Innocent IV. concerning this church and the canons thereof, with consent of Richard then dean, and the chapter lawfully called, 14th of the kalends of May, anno 1256, which was some time before his death, appointed 13 prebends in the chantry, the bishop being one himself, who was to preside over the rest.

1. The dean, who was rector of the church of Kirktown, shall have the lands of Muricroft, now the minister's gleib, with all the rest of the fruits and its pertinents, belonging to the said church; except the tithe of the salmond of Balgowney, &c. Moreover it is appointed that the said dean shall have a chaplain and a clerk at the church of Kirktown, to minister divine service to the parishioners; and another chaplain, as a clerk at the chapel of Monycabbuck, to preach to the parishioners there. He had his manse and lodging where the minister of St. Machar now lives. He had great authority among the clergy, and was greatly respected by them. His lodging was built by order and direction of one of the kings of Scotland, because his armorial coat is yet to be seen above the outer gate. It had three yards; in one of which, at the West side of the clofs, are houses lately built. He had also a gleib, which is now a yard. His manse in the chantry, hath the chanter's manse on the East, and the treasurer's on the West of it. But since Mr. Robert Maitland, dean of Aberdeen, procured the annexation of the deanry to the King's college, anno 1579, the principal of said college is dean.

2. Is the parson of Auchterless, who was cantor, or chantor, chief musician, and rector of the musick of the church. To him pertained to instruct and teach the singing-boys in the quire. He had a large manse, which is now demolished; the lodging, yard,

and gleib being now turned into a croft. This manſe had the chancellor's on the Eaſt, and the dean's on the Weſt. On the South end of this gleib were ſome houſes, built for accommodating the tenants of the ſaid chantor's croft; the annual rent of which is now paid to the maſter of the biſhop's hoſpital.

3. Was the parſon of Birſe, who was chancellor of the biſhop's chapter. He was to beſtow pains in the correction of books, and to keep the common ſeal of the church and chapter, that it be laid up in a double cheſt in the treaſury. The dean was to keep one key, and the treaſurer the other; and the ſeal was never to be taken out but when there was particular uſe for it, viz. for ſealing the letters of the chapter. And he was to compoſe the letters and charters thereof, and to read therein the letters that come to them. Moreover, he was to keep the books of theology in armoriais or little ſtudies, and to exhibit them the firſt week of Lent, before the dean and canons, that none of them might be loſt or made worſe. He was to provide a fit maſter, that ſhould have the government of the ſchools of Aberdeen, who knew how to inſtruct young boys in grammar, &c. He had alſo a title to the fiſhing of Balgowney. This prebend had a large manſe and yard; and had the chanter's manſe on the Weſt, and the common ſtreet leading to the chaplain's chambers on the Eaſt. Alexander Seton, chancellor of the chapter, and parſon of Birſe, anno 1557, diſpoſed of his lodging in the chamry to Mr. George Seton, ſon to the laird of Meldrum, who was alſo chancellor of the chapter, and parſon of Birſe; and at laſt he diſpoſed of it to the earl of Dunferling, who diſpoſed of it to Mr. John Scougall, commiſſary of Aberdeen; and he to his brother lord Whitehill; who ſued out four ſtances for building houſes on the ground at the end of his yard, formerly the chancellor's gleib, viz. one to the deceaſt bailie Knight, who obliged himſelf to pay yearly to the ſaid lord of
ſue-duty

fue-duty 13s. 4 pennies Scots money; another to bailie Thompson, for the same; a third to the deceased James Conqueror, for the like; and a fourth stance to Marjory Navin and Robert Walker, equally betwixt them; each of them paying half a merk of fue-duty. Afterwards, lord Whitehill, one of the senators of the College of Justice, and son to Patrick Scougal, bishop of Aberdeen, disposed of said lodging, yard, and fue-duties to the deceased colonel Buchan of Cairnbulg, whose son, captain Buchan, is heritor thereof, anno 1725.

4. Was the parson of Daviot, treasurer, to whose care was committed the money belonging to the church. It was a part of his office to cause keep clean the ornaments of the church, and to provide light and candles for it. He had a sufficient manse, having on the East the dean's, and on the West the parson of Belhelvie's; and for his yard and gleib, he had a part of the yard now pertaining to the duke of Gordon, on the East side thereof, whose back gate is yet to be seen next the street, as people pass to the bridge of Don. This manse is now demolished.

5. Is the parson of Raine, archdeacon, whose office was, to go about and correct the manners of the clergy of the province; and therefore was not always obliged to be personally present in the cathedral; except with the bishop in the beginning of Lent, at the Sacrament of the Lord's Supper, and other great feasts of the year, and when he makes the Chrisma. His manse was on the West side of the chanry, with a large yard and gleib; which are two riggs of land at the West end of said yard, towards the Kettle hills. This manse pertained to Patrick Walker of Torrielieth, and hath on the North the parson of Clatt's, and on the South the parson of Oyne's. There was an addition built to this lodging, anno 1591, which may be seen. The present heritor demolished it, anno 1722, but some of the walls are yet standing.

6. Was

6. Was the parson of Belhelvie. His manse, is in a great house, opposite to the publick stile of St. Machar's church, and built by George Seton, parson of Belhelvie; witness his name, armorial-coat, three roses, and a crescent; and, for his crest, a cardinal's cap with its treffes yet to be seen; and hath on the East the parson of Daviot's, and on the South the parson of Forbes's manse. The marquess of Huntly, some time after the Reformation, being forced to come hither and keep the church, got, or bought three of the prebend's lodgings, viz. Belhelvie, Daviot, and Forbes's; and inclosed their yards and little gleibs in a garden, and lived in said Belhelvie's manse, with his family. The present duke of Gordon built the West dyke of said garden all of stone, and high, anno 1715; and after caused build the rest of stone and brick; and the whole expence of building them amounts to 3100 merks, Scots money. The bricks, in the inner side of said dykes, are 47500; every thousand cost 12s. sterling; and now it is the best garden in the town, or about it.

7. Was the parson of Mortlach, whose manse, yard, and gleib, lie on the West side of the chantry, having the bishop's hospital at the North, and Clatt's manse at the South. King Malcolm II. of Scotland, in memory of the defeat he gave the Danes at Mortlach, founded there a bishop's see, anno 1010, and preferred one St. Bean, who was canonized, to be first bishop thereof. He fate bishop there about 30 years; and dying at Mortlach, was buried at the postern door of this church, where his effigies lies in the wall near said door, cut out of stone, yet to be seen. He also caused St. Bean to build this church, dedicated to St. Moloch. This manse and yard are ruined, and made corn-ground; which, with the gleib, now pertains to Alexander Davidson of Newton, heritor, anno 1725.

King

King Malcolm's prayer at the battle of Mottlach, when the Danes were like to have the victory.

“ O great God of virtue, rewarder of piety, and punisher of vice! we, thy christian people, defenders of our native country, granted to us by thy bounty, now destitute of all human help against these inhuman invaders of us, have recourse to Thee in this our extreme necessity, praying Thee to have compassion on our miserable condition; and remove, O most merciful Lord, this cowardly temper from my people.”

Then rushing on, he killed Onetus, their general, with his own hand; and his foldiers, by his example, gained a complete victory.

8. Was the parson of Oyne, whose manse, yard, and gleib, lie on the West side of the chañry. The manse is demolished; only the entry-gate yet stands. This manse hath on the North the archdeacon's, and on the South the parson of Nether-Banchorie's. There is a tradition, that this prebend was protonotarius capituli; or, chief notar of the chapter; as also, that he was called Rome-raker, because he was obliged to travel to Rome with commissions, and bring instructions from it to the bishop and clergy in the chanry; which is mentioned in some old papers concerning this church. This manse hath a large yard, with a gleib, consisting of a rigg of arable land at the West end thereof towards the Kettlehills.

9. Was the parson of Invercruden, or Cruden, whose manse, yard, and gleib, lie on the West side of the chañry, having on the North the parson of Ellon's, and on the South the parson of Deer's. This manse and yard are totally demolished, and a tenant's house, with some office-houses, built on the East end thereof, next the street. George Canon is heritor thereof this year, 1725.

10. Is the parson of Clatt, whose manse, yard, and gleib, lie on the West side of the chantry, having at the North the parson of Mortlach's, and at the South the parson of Rain's. It was called Tam Framper's house, because it was haunted. The deceast George Cruikshank was heritor thereof, who carried away some of the stones and other materials to build his house at the bridge of Don, for accommodating him the time of his fishing; and when the Englishmen came hither, they carried away the rest, to help to build the castle hill of Aberdeen. This manse being demolished, a tenant hath a dwelling-house on the East end thereof next the street, with some office-houses, all which pertain now to Alex. Davidson of Newton, heritor thereof, anno 1725.

11. Is the parson of Banchory-Davenick, or Deveney, so called from Devenicus, an archdeacon, to whom this church was dedicated. It is also called the church of Nether-Banchory. His manse, yard, and gleib, lie on the West side of the chantry; having on the North the parson of Oyne's manse, and on the South the parson of Ellon's; which manse was a great lodging, with a large yard, and a gleib of arable land, consisting of a rigg at the end of said yard, lying towards the Kettlehills; all which pertain to the heirs of the deceast James Gordon of Seaton. This manse was demolished, anno 1720.

12. Is the parson of Old Deer; for New Deer was only a branch of Old Deer. This manse, yard, and gleib, were on the West side of the chantry, having on the North the parson of Cruden's, and on the South the parson of Kincarden's. He was made a prebend in the chantry, by an agreement betwixt the bishop and his chapter, and the abbot of Deer. This manse is demolished, and an house with some offices built on the East end next the street, for the use of a tenant; whereof George Canon is heritor this present year 1725. The said bishop Ramsay statuted and ordained likewise, that all the yards, crofts, or little gleibs, should be

be free from paying tithes for ever, anno 1256. He appointed four singing boys in the quire, who should have their salary from the community; and ordained that the dean and canons should give their oaths of fidelity, to keep and defend the customs, rights, and liberties of said cathedral church. He also ordained seven vicars, of whom two in every week (*hebdomodares per vices*); and that the mass should not be celebrated without the deacon and subdeacon, in their vestments appointed for their office. Also, when the vicars are entered, they shall give their oaths of fidelity, to be faithful to the church and chapter; and shall use black capes and surplices, especially when they minister for the canons in the church, and have clean, honest habits, &c. Who so does contrary to these constitutions shall be punished according to the will of the dean and chapter.

Richard Pottach, an Englishman, who became bishop of Aberdeen after bishop Ramfay's death, about anno 1256, and sat 13 years bishop, joined to the aforesaid number of the bishop's chapter the parson of Crimond, anno 1262; but where his manse is appointed him is not known, or he has had none in the chañry.

Henry Cheyne, who became bishop of Aberdeen, anno 1281, added four prebends to the aforesaid number of the bishop's chapter. 1st, Was the parson of Lonmay, anno 1314; but 'tis not known where his manse, &c. were appointed him. 2nd, Was the parson of Aberdour, anno 1318; neither is it known where his, &c. 3d, Was the parson of Forbes, anno 1325, whose manse, yard, and gleib were in the duke of Gordon's garden, on the West side of said garden-dyke, about the middle of it; having on the North the parson of Belhelire's manse, and on the South the parson of Philorth's. This manse (Forbes's) stood opposite to the parson of Kincarden's lodging, but was demolished a long time ago. 4th, Was the parson of Ellon, anno 1328; for

the said bishop Cheyne gat the consent of the abbot and monks of the abbacy of Kinloch for doing thereof, because Ellon belonged to them; and the house of Watertoun was the abbot of Kinloss's summer-house, called then Abbot's Hall. His manse lies on the West side of the chañry, between Bonchory's at the North, and Cruden's manse at the South; and his gleib was Bogforth, which lies at the back of the cathedral; and which colonel Middleton bought from the heirs of the deceast Thomas Forest, merchant of Aberdeen. And thereafter, James Edward, in Chappelton of Elfick, bought Ellon's manse from the heirs of the said deceast Thomas Forest. The parson of Ellon's manse was first at the North-West end of the bishop's lodgings near Bogforth.

Alexander Kininmonth, first of that name (of whom before) added to the aforesaid number the parson of Kincardine-Oneil, which was formerly an hospital for sick people; founded by Allan Durward, anno 1330. His manse, yard, and gleib, lie on the West side of the chañry, having Methlick's manse on the South, and the parson of Deer's on the North. A son of the laird of Dores, surnamed Frazer, built a part of Kincardine-Oneil's lodging; for his name and armorial-coat were upon one of the peet-stones thereof. At the South end of it was an oratory, built for the ease and use of the parson of Kincardine-Oneil; and it has been upon some extraordinary occasion, when an oratory was allowed to be built within the chañry, and so near the cathedral. Mr. John Elphinston's name, parson of Kincardine, was upon the stair thereof, and perhaps caused build the oratory, which is yet entire. This great lodging pertained lately to Mr. Alexander Frazer, subprincipal of the King's college, who ~~demolished~~ it; and with the stones thereof built his malt-barn at Powise-Burn, near his own house, and disposed of the gleib thereof, with the oratory; and also, the parson of Deer, and Cruden's gleibs; all these three
lying

lying contiguous together, to George Conon, present heritor of them; for which he paid the said subprincipal a thousand pounds Scots money, anno 1712.

Alexander Kininmouth, second of that name, (of whom likewise before) added the five following prebends to the above number of the bishop's chapter. 1. Was the parson of Invernochty, or Strathdon, anno 1358; whose manse, yard, and gleib, lie on the West side of the chañry, having on the North the parson of Turreff's manse, and on the South the chamber of the port, which seems to have belonged to one of the prebends. His yard and gleib, as also two other prebends' manses, cannot be known (as is thought) because Lewis Gordon of Kinmundy, present heritor, will not suffer his papers to be seen. Some time after the Reformation, Sir Alexander Gordon of Cluny purchased the said manse, with four riggs at the end of their yards, which were their gleibs, from one Robert Joffe, and enclosed all into a garden. He built the gallery, and joined it to the port-chamber, anno 1623. He also purchased from Henry Adam an house and yard, in the South-East end of the yard, which hath been one of the prebends' lodgings; and bought from him that house and yard, which lies on the South side of Bailie Baxter's tenement, now possessed by Francis Thomson, sometime late chamberlain to the earl of Panmuir, for the lands of Belheire; and thereafter by James Johnston, merchant in Old Aberdeen, who married the relict of the said Francis Thomson; which was the first slated house in the old town, except the chañry. She repaired the said house and tenement, anno 1722. But some affirm, That Cluny disposed said slated house in the old town to Henry Adam, in place of the said house and yard he had near the South-East end of Cluny's Wynd. 2. Was the parson of Philorth, anno 1361, whose manse lies on the East side of the chañry; having Forbes's

manse on the North, and the manse of another prebend which is not known, because the present heritor will not let his papers be seen. Alexander Irvine, weaver, hath this prebend's manse, yard, and gleib; and is heritor this year, 1725. 3. Is the parson of Methlick, anno 1362, whose manse, yard, and gleib, lie on the West side of the chañry; having on the North the parson of Kincairden's manse, and at the South the parson of Turreff's; all which now pertain to Lewis Godmundy, anno 1725. Walter Stewart, principal of the King's college, procured the annexation of the rectory of Methlick to said college, anno 1586; and was confirmed by king James VI. in the 20th year of his reign. This confirmation was granted upon condition, that there should be a fit person placed at the kirk of Methlick to preach to the parishioners. Since that time the eldest reader of said college is rector of Methlick. 4. Was Tillienestle, anno 1366, whose manse stands upon the church-yard-dyke of St. Machar; having the bishop's hospital at the West, and the cathedral at the East. His yard and gleib have the said hospital-yard at the West, and Bogforth at the East. This manse, yard, and gleib, pertained heritably to the deceast George Kilgour, sometime beadle of this church. His heirs sold them to colonel Middleton, for which he paid them seven hundred merks, Scots money, 1723. 5. Prebend was Drumoak, anno 1368; but where his manse, yard, and gleib were appointed is not certainly known; or, he had none in the chañry.

Gilbert Greenlaw, who became bishop of Aberdeen, about anno 1390, added the parson of Turreff to be a member of the bishop's chapter, anno 1412. His manse, yard, and gleib, lie on the West side of the chañry; having Methlick's on the North, and Invernochtié's manse on the South. It was built by Alexander Hay,

Hay, parson of Turreff, which pertains now to the trades of Old Aberdeen, with the yard and gleib both enclosed, and made a garden. And the said trades have built in the close of the afore-said manse, an hospital for ten poor widows, tradesmen's relicts, anno 1711. This hospital was built by contributions, and the poor women living it have not much allowance. There are an hundred merks mortified to them by the deceast Alexander Mitchell, late clerk to the trades of New Aberdeen. The trades of Old Aberdeen give them some money quarterly; and they get charity from several persons of said town. There are now in it eight women, anno 1725, who get each of them quarterly twenty-shillings Scots from said trades, who likewise have appointed little hail-yards for them within said close. To the trades belongs the big house, which pays yearly twenty-eight pounds Scots money; and the yard and house on the street pay merks.

Kinkell, or Tella principals, was of old an habitation of the knight of Jerusalem. As there was an order of Knight's-Templars, instituted by pope Gelasius about anno 1220, whose office and vow was to defend the temple and the holy sepulchre at Jerusalem; to entertain strangers that came thither for devotion; and to guard them in safety, when they went to visit the places of the Holy-Land; their habit being a white cloak, with a red cross, and a sword girt about them; so they were suppressed by pope Clement V. about anno 1310; and their lands were by a general council held at Vienna conferred on the knights of the order of St. John of Jerusalem; called also Joannites; and after knights of the Rhodes; and lastly of Malta; where they live to this day. But the Templars and their successors had only one house in Scotland; which was the hospital of St. Germain's in Lothian. This house was dissolved, anno 1494: and the greatest part of its revenues by king James IV. conferred upon the King's college of Aberdeen, then newly founded by bishop William Elphinston.

But Henry Lichtoun, bishop of Aberdeen, joined the parson of Kindell to the above-written number of canons, and to be a member of the bishop's chapter, anno 1424. His manse lies on the West side of the chañry, having Mortlach's gleib on the South, and the chaplain of Westhall's manse on the North. His yard and gleib lie on the North-West; all which is pertained to Alexander Gordon of Bersemore, and thereafter to Adam Gordon of Inverebrie; but the gleib belonged heritably to Patrick Walker of Torrielieth; and now to James Edward. But the said Adam Gordon disposed of this manse, with the rector of Monumusk's manse, to Mr. William Smith, second presbyterian minister of St. Machar, and got for them three hundred and fifty merks Scot's money. This Mr. Smith, out of the ruins of said large manse, wherein he got much free-stone, built an house for himself, three story high, anno 1720; as also, office-houses and the yard-dyke; and levelled the height that was in the North-West end of said yard. Forasmuch as Kirkhill stood infeoffed in this manse for warrandyce of his tythes about Aberdeen, granted by the said Alexander Gordon of Bersemore; the said Mr. William Smith agreed with Kirkhill, and paid him 40l. Scots, to discharge him of said warrandyce. There is an annuity of ten merks paid out of said manse to St. Machar's church, and had been resting upwards of 60 years. The said Mr. Smith agreed with the session who passed him all by-gone annuities; but pays yearly the said ten merks in time coming.

The parson of Kinkell was a great man in the chapter; for he was parson of seven churches, viz. Kinkell, Kintore, Kinellar, Skeen, Kemnay, Dyce, and Drumblait. This patronage and parsonage were annexed to the principal of St. Leonard's college of St. Andrew's, who is dean thereof; which archbishop Sharp got effectuated after king Charles the Second's restoration, about anno 1662.

The

The said bishop Lichtoun added the parson of Cauldestane to the aforesaid number of canons, to be a member of the bishop's chapter, anno 1424; but where his manse, yard, or gleib were appointed him is not certainly known; for he had none in the chanry.

Rochtiven, or Rathven, was first an hospital for infirm people. Ingraham Lindsay, who became bishop of Aberdeen immediately after bishop Lichtoun's death, about 1441, added that same year the parson of Rathven to the aforesaid number of canons, to be a member of the bishop's chapter; but, it seems, this prebend had no manse, yard, nor gleib within the chanry. The said Ingraham Lindsay joined the rector of the church of Monumusk to the aforesaid number of canons, &c. anno 1441; which he did with the consent of the bishop of St. Andrew's. His manse, yard, and gleib lie on the North side of the chanry; having the bishop's hospital at the East, and the water of Don at the North. This manse, after the Reformation, belonged to Alexander Gordon of Bersemore; and at last to Adam Gordon of Inverebrie, who sold it to the said Mr. William Smith, who built therewith his said house and yard-dyke.

Afterwards, the heritors of the Cruives and Nether Don purchased the said yard and gleib; which of old pertained to the rectory of Monumusk, and disposed of them lately to the poor men who live in the bishop's hospital. The parson of Logie-Buchan and Fetterneir, being of a later addition to the bishop's chapter, had no manses, yards, gleibs, nor tofts in said chanry. The said bishop Lindsay statuted and ordained, that every year one of the canons residing there should be procurator, general receiver or collector of all the fruits and rents of the whole churches belonging to them; and make equal distribution to the canons; together with an accompt once a year of all received by him in the chapter, when required of him.

UTENSILS, to be left by a preceding PREBEND or CANON, to his successor in the chañry, viz.

In the hall; a table, very sufficient, with trestles. Item, a basin, with a place to wash. Item, a table-cloth, with an hand-towel. Item, a silver spoon, and a stoup with a lid.

In his chamber, a lye-couch or bed. Item, a cover agreeing with the breadth thereof. Item, a pair of linen sheets, and two pair of blankets.

In the kitchen; a sufficient plate, and iron pot. Item, a mortar and pestle. Item, a chain or kettle-crook. Item, a platter, a dish-clout, a spit, with lawdeir.

In the brew-house; a lead with a cover called the mash-vat, a trough, a geil-vat or stand, a barrel.

They were to be appropriated according to their value, viz. for a pound wanting a shilling.

When any of the clergy committed a fault, or transgressed the laws made by the bishop, they were punished by the dean and chapter, or by penal mulct; the one-half to be applied for the fabrick of the church, and the other for the reparation of the ornaments thereof. But if the fault was heinous, then the punishment was by excommunication. Every one of the canons were obliged to make ready obedience to the dean; for he was set over all the rest, viz. canons and vicars, in the government of their manners. When he went into the chapter-house, the canons stood all up in the quire; when the clergy removed, they bowed to him, if the bishop was not present, &c.

Of the TRADES of OLD ABERDEEN.

There are only five in this town, viz. Hammermen; which comprehend smiths, wrights, and coopers. 2. Tailors. 3. Shoemakers.

makers. 4. Weavers. And 5. Fleshers. These trades have money in their boxes. Item, they have seven mort-cloths; one pays 7l.; second, 6l.; third, 5l.; fourth, 4l.; fifth, 3l.; sixth, 2l. Scots, when there is occasion for lending them at burials; and the seventh is given gratis for the poor's use. Item, they have a master of mortifications, at the same time chosen with the conveyer.

When the magistrates make merchant-burghers, they pay twenty pounds Scots to the town; half a crown of guild-wine; fourteen-pence to the clerk; and twelve-pence to the town's officers.

When the said magistrates made a trade's freeman of this burgh, he pays only ten merks to the town; half a crown of guild-wine; fourteen-pence to the clerk; and twelve-pence to the town's officers.

The TOWN'S ARMOUR.

There pertain to this township fire-locks, guns, muskets, halberds, swords, picks, with a coat of mail, &c.; all kept in custody by the treasurer, or some other trustee, for the use of the town.

Bishop Elphinston, 7th of May, 1506, made the following constitutions, with the consent of the dean and canons of the chapter. He ordained or made, confirming the constitutions of his predecessors, twenty vicars of the quire, well instructed in the priesthood, and the Gregorian song, daily tied to divine offices in the same; two deacons; two subdeacons; two acolyts; six singing boys, with a sacrist; who must at all times be present in the quire, &c. Also, that every vicar should have twenty pounds

at least for his salary, from the faculty of the canons and chapter, yearly, as they are taxed, &c.; with an honest habit at the entry of said vicars; the deacon eight pounds; the subdeacon six pounds and four pennies; and the acolyte four pounds; every one of the singing-boys fifty-three shillings and four pennies; and the sacrist ten pounds Scots; to be paid four times in the year. Bishop Gavin Dunbar approves of the number of the vicars; and to every one of their salaries added four shillings, according to the aforesaid distributions, anno 1519.

Of the SACRIST'S Office.

The said bishop Elphinston first ordained, that the sacrist of the cathedral church should be a priest, constituted in the priesthood; who every day in the year, as well on holidays as festivals, should be present *in choro, cum habitu suo decente, tunicâ talari, & superpellicio*, with other vicars of the quire of said church. Item, he shall cause his beadle to ring the bells on holidays and festivals, through the whole year, summer and winter, viz. to the mattins, at five o'clock in the morning, a quarter of an hour for the first; for the second scarce continuing half an hour; and for the third bell near six a like time with the first. At six, with the beadle, he shall convene all the vicars of the quire to the mattins, with convenient habits; the mattins being performed, he shall ring a little bell for the mass of the blessed Virgin Mary, &c. He shall ring the great bells at the solemn feasts and the meetings of the canons every day throughout the year; and he shall ring at the third hour in the afternoon, &c. and at eight he shall ring the little bell for the souls of all the faithful departed. Item, he shall rouse the clock day and night, and keep it in order. Item, he shall keep the cathedral day and night, and all the vestments.

ments of the altars, and the high-altar; as also, the books of the choir and chapter, with other goods pertaining to said canons.

Divine service being performed, he shall fold up the vestments decently, and lay them in the place appointed for them.

Item, he shall make clean the cathedral, quire and chapter-house, every sabbath; and the windows of the said church from all blots; and the walls from all dust and mouse-webs; four times a year; as also, the pavement every sabbath-day with water and besoms from all rottenness. Item, he shall keep the church-yard so that beastial shall not enter into it; also, the church and yard, that merchant goods come not into them, in time of mercats. Item, the church, so that doves and ravens come not into it, as well in summer as in winter. Item, he shall keep the stillicides and aquæducts of said church clean, when there is need, and the windows from grafs growing upon that accompt. Item, he shall provide fresh water, if need be, every day in the morning throughout the year, for holy water, and the baptismal font; and for washing their hands who minister in the church; and fire for kindling the candles of the high-altar, when needful. Item, he shall keep a lamp continually burning and shining day and night, with oil of the chapter, before the Holy Sacrament. Item, he shall light candles before the great altar and images thereof. Item, he shall repair in the quire the high altar with arras-cloth; and the bishop's seat, as well in the quire as in the chapter. Item, he ought, every holy and festival day, having on his surplice, to go before the choir in procession, with a wand in his hand, through both church and church-yard, when needful, and keep clean the holy embossed Evangel; also, he ought to provide psalms on Palm-Sunday, and the day of Pentecost, at the procession. Item, he ought to cover the high-altar with a clean linen cloth. Item, he ought to cause wash all the vestments of the high-altar; the

bleſſed Virgin Mary; the holy Croſs; and the linen cloaths, and white coverings of them, every year, fix times at leaſt. Theſe cloaths waſhed clean ſhall be laid up in the veſtry. Item, he ſhall prepare the pulpit for the preachers, if need be. Item, he ſhall obſerve, that the lackwoys or ſcholars carry not away the cups out of the quire from any celebration of the holy ſacrament. Item, he ſhall note in a table the vicars of the quire that do not celebrate the private maſſes every week, according to the tenor of their foundation. Item, he ſhall ſubject himſelf to taxation, as other vicars do. If he be deficient as to the premiſes, or abſent himſelf from the mattins or evening veſpers, at the ringing of the bell, then ſhall the fourth part of his yearly ſalary be ſubtracted by the chapter.

	£.	s.	d.
For all which exerciſes he ſhall receive yearly from the canons of the chapter,	10	0	00
For ringing the bells for any dead perſon,	0	2	00
For ringing the bell of the anniverſary of the quire, from the vicars thereof,	0	6	4
For waſhing of the veſtments and corporals of the chapter and our lady,	0	6	8
For keeping the ſtillicides, —	0	6	8
For keeping the doves out of the church,	0	6	8
From every canon that is received into the chapter,	0	6	8
From every canon celebrating maſs on a ſolemn day,	0	0	6
For cleaning the brazen veſſels of the church,	0	6	8
In all	12	2	2

Item, he ſhall not be admitted to the ſaid office except he ſwear to keep the premiſes, and make a ſufficient ſermon, leſt the goods of the ſaid church ſhould be dilapidated, or made worſe by his fault, and taken away by any perſon.

Of

Of the CHAPLAIN'S COURT.

This court was built by bishop Gavin Dunbar, anno 1519; as witnesses his name and armorial coat above the entry-gate, yet to be seen. This square court lies at the South-East end of the bishop's garden, containing chambers for twenty vicars or chaplains; some say more; who were all served at a common table within the said court. They were priests, and performed the common service of the cathedral. It had four towers in it, one in every corner of the clois; with a draw-well in the middle of it, yet remaining entire. The kitchen stood next to the North-West tower. About the beginning of the Reformation of religion it fell into a laick person's hands; for the clerk of the register got a ratification of said court, in the time of king James VI. parliament 14. Afterwards, Patrick Forbes of Corse, bishop of Aberdeen, made it Divinity college; and the students in divinity possessed the chambers thereof; and doctor Forbes, professor of divinity in the King's college, taught them therein.

The said bishop Forbes's grave-stone lies in bishop Gavin Dunbar's isle, with the following inscription upon it.

“ Ἡ σωτηρία τῷ Θεῷ ἡμῶν, καὶ τῷ ἀνθρώπῳ. Apoc. vii. 10.

“ Salvation to our God, and to the Lamb. Rev. vii. 10.

“ Hic requiescit vir incomparabilis, fulgentissimum quondam Scotiæ sidus, Patricius Forbesius, episcopus Aberdonensis, rector prudentissimus, pastor fidelissimus, prædicator eximius, scriptor egregius, consiliarius regius, studij generalis Aberdonensis

“ Here lies an incomparable man, the most blazing star in Scotland in the age he lived in, Patrick Forbes, bishop of Aberdeen, a most prudent governor, a most faithful pastor, an excellent preacher, a notable writer, a most noble councillor,

donensis instaurator, & cancellarius; & novæ professionis theologicæ in eodem fundator; Baro de Onel, Dominus à Corse; qui placidè ac piè obiit, pridie paschatis, 28 Mart. Anno Dom. 1635, ætatis suæ 71.

“Coetus stella sacri, pastorum gemma regent; deliciæ Corfæ, gloria cura poli. Salus per Christum. Nemo tollat, qui Deum timet.”

Near the said bishop's grave-stone, lies that of the said doctor Forbes's lady, with this inscription, viz.

“Hic requiescit mater, cum quatuor filijs, & totidem filiabus; generosa mulier, pietate & virtute insignis, dulcis rosa arbor Middleburgen, conjux Joannis Forbesij, Domini à Corse, Baronis de Oneil, Presbyteri, & S. Theolog. Doct. & Professoris; quæ placidè ac piè obiit, 19 Jan. 1640. Pulvere quod tegitur

lor, one that repaired the college of Old Aberdeen, and chancellor thereof; and founder of the reformed religion in the same place; Baron of Oneil, and Laird of Corse. He lived peaceably, and died happily the day before Easter, March 28, 1635, being 71 years.

“He was a leading star to the sacred assembly; the pearl of the pastoral government, a glory to the name of Corse, Heaven's darling and delight. Happy through the merits of Christ. Let none violate this that fears God.”

“Here lies the mother, with four sons, and as many daughters, a gentlewoman remarkable for her piety and virtue, the most delicate and beautiful rose of Middleburgh, spouse to John Forbes, Laird of Corse, Baron of Oneil, Presbyter, Doctor and Professor of Theology. She lived peaceably and died happily,

tægitur corpus sine labe refurget; interea fruitur mens super æstra Deo."

pily, 12th January, 1640. Her body, now covered with dust, shall rise again without spot or blemish; her soul, in the mean time, enjoying God far above the stars."

At last, the said Dr. Forbes purchased a lodging within said court, for the use of a professor in divinity in the said college; and another for the use of the master of the music-school in Old Aberdeen, now ruinous. The rest of the court is in laick-men's hands to this day. He was much troubled by the covenanters; his place declared vacant, anno 1643; and put from his house, which he had bought, because in the disposition to his successors he had not reserved a clause of his own life-rent. He went to Holland, anno 1644, there to remain in those troublesome times. He was a religious man, who feared God, charitable to the poor, and a singular scholar; and yet was discharged, and forced to leave his native country, because he would not comply with the covenanters, to the grief of many honest people. When he was in Holland, he caused print his great book "*De Instructionibus Historico-Theologicis*." After he had staid two years there, he returned home, anno 1646; went to Corse, where he spent the rest of his days in preparing for death; and a little before he died desired his friends to get liberty from the minister of St. Machar, and the presbytery of Old Aberdeen, to let his corpse be interred beside his father and his own spouse, in bishop Gavin Dunbar's isle; which favour was refused, for all his friends could do there aient. Then he desired to bury his corpse in the church-yard of Leuchil, where he lies without a monument. He died April 29, 1648.

Mr.

Mr. David Anderson, a presbyterian minister of divinity in the King's college, got allowance from the synod of Aberdeen, to take two thousand merks from the money which belonged to his office, to repair his lodging in the said court; which he did, and made a convenient lodgable house, anno 1718. His name and said year are upon the peet-stones thereof. He also built an house where the chaplain's kitchen stood; which kitchen was sometime after the Reformation accidentally burnt, with some other houses. He hath also a little garden in the close, opposite to the entry of his lodging, well dyked, and an outer gate.

Account of the CHAPLAINRIES belonging to said church; their yards, manse, and little tofts or gleibs; together with some small account of the rent which pertained to them.

The chaplainry of Westhall, founded by Ingraham Lindsay, bishop of Aberdeen, was strictly tied to divine service in the quire. His manse, yard, and gleib lie on the North side of the chancery, having the water of Don on the North, the parson of Tinkell's manse at the South, the rector of Monumusk's manse at the East, and Tilliedron's hill at the West. Mr. Patrick Walker was heritor of this manse, yard, and gleib; and now James Edward. Since the reformation of religion, this chaplainry was annexed to the King's college, and pays yearly to it ten shillings Scots, and two merks of fue-duty; and Mr. John Hour, advocate and heritor, pays for his lands of Westhall (which formerly belonged to said chaplainry), lying in the parish of Oyne, to said college 44*l.* of fue duty.

Item, the chaplainry of Galchol, lying in the shire of Banff, to God and the blessed Virgin Mary, and to the bishop of Aberdeen,
and

and the chapter thereof; to maintain a chaplain in the cathedral church of Aberdeen, to pray for the safety of his soul, his ancestors, and successors, kings of Scotland, and all the faithful departed. He grants this by a charter, written in Latin at Aberdeen, September 13; and 33d year of his reign.

Item, the chaplainry of Mr. John Clatt, sometime a canon of Aberdeen, for a chaplain to pray at the altar of St. Katharine. He was tied to be continually present at divine service, with others in the quire. He had his manse on the East side of the chantry, close to Cluny's Port; and his yard lies on the East side of his manse; which was mortified by Patrick Sandilans of Cotton, to the bishop's hospital, sometime before his death.

Item, two chaplainries, founded by Robert Keith, marischall of Scotland, at the altar of the blessed Virgin Mary in the said church. They had rent out of the lands of Kintore and Skeen; now out of Garlogie, &c. viz. 4l.; which the master of the bishop's hospital takes for his salary, and an annuity of . . . payable by the earl of Kintore. This also belongs to said college.

Item, the chaplainry, founded by Mr. Duncan Skurar, rector of Clatt, now united to the students in the canon law.

Item, the chaplainry founded by Thomas bishop of Aberdeen, incorporated with the said college, and distributed to the students in the canon law.

Item, the chaplainry founded by Alexander Cullen, rector of Oyne, for the chaplain to pray at the altar of St. Nicholas at Aberdeen.

Item, a chaplainry, having 40l. of yearly rent out of the lands of Muiriecroft, with its pertinents; founded by Mr. Alexander Cabell, to pray at the altar of St. Devenicus.

Item, the chaplainry of Fallow, founded for a chaplain to pray for the soul of Adam Pyngyll. This chaplain of Fallow-roule, in the parish of Fyvie in the Gavrioch, had his manse, yard, and

gleib in Meikle-Fallow, for the vestiges of his chapel are yet to be seen in the in-town land thereof.

This chaplainry was annexed to the said college; and the heritor of Meikle-Fallow pays yearly to it 40*l.* of fue-duty, for his said land; which formerly belonged to said chaplainry, &c.

Of the ALTARS.

Imprimis. The altar of the blessed Virgin. St. Andrew. St. Paul. St. Michael, archangel. St. Muritius. St. Dominicus; for which altar there was rent paid out of the lands of Balgowney, now Frazerfield. St. Katharine. The high altar. St. Devenicus. The chapter. The rest are wanting. Hector Boetius (of whom before, first principal of said college, descended from the Boeths of Panbride in Angus, born in Dundee, and bred up in letters in the University of Paris), besides his History of the Scots, and the Lives of the Bishops of Aberdeen, wrote a book concerning the altars; wherein he gave a description of all that were in said church. Moreover, the chaplains of the quire had the annuities which sometime thereafter belonged to Walter Robertson, clerk of the burgh of Aberdeen, by virtue of his majesty's gift and donation made to him under the great seal, of date July 18, 1612; which annuities the said Walter Robertson disposed back to the said church; the sum whereof is about 10*l.* 1*s.* Scots money.

Of the COURTS of OLD ABERDEEN.

The old court books of said city being lost, the first now extant begins as follows:

The

The court of Old Aberdeen holden December 29, 1602 years; the said day the haill council and community of the town did elect and choose Sir Thomas Gordon of Cluny, knight, provost of Old Aberdeen, and their bailies, &c. for the ensuing year, who accepted, and gave their oaths *de fideli administratione*.

The said court, March 8, 1603, statute and ordain by said magistrates, That the common mercate be holden weekly on Monday, according to the fundamental charter; and that the merchants and craftsmen come to the cross with their merchandize on the mercate day at six hours in the morning, and continue 12 hours; ilk person disobeying under the pain of twenty-shillings. But now the weekly mercate of this city is changed from Monday to Thursday, conform to act of parliament, discharging burghs of regality and barony from keeping mercates on Monday or Saturday; and has allowed to change them to any other day of the week, provided they pitch not the mercate-day of the royal burgh within four miles. But fleshers are excepted, who may keep flesh-mercates on those days prohibited.

The magistrates of Old Aberdeen were chosen for anno 1604, and did February 2, statute and ordain, That none within said town brew or sell dearer ale than 12d. the pint; nor dearer beer than 14d.; under the penalty of 40s. for the first fault; 4l. for the second; and 8l. for the third; and this to endure the said magistrates' office, and will of the council. Item, the said day it is statuted and ordained, That every pound of candles should be sold for 3s 4 pennies, under the pain of 4l. Item, That none within the town shall sell drink after nine hours in the evening, under the pain of ten merks. Item, that none within this town shall sell milk dearer than eight pennies the pint.

The magistrates of this town the penult. day of December 1605, statuted and ordained, That no young man within this town play at cards or tables, who has no house or rent of his own;

that no man receipt him, otherwise they shall pay 4os. *toties quoties*; and the young man who plays, shall pay 4os. *toties quoties*. For king James VI. made an act against cards and dice.

The magistrates, March 3, 1606, ordain, That no stranger-beggar be received within the town, under a penalty, and that for eschewing the present plague or pestilence; and it is statuted and ordained, That the beggars within the town shall compare within the Kirk, at two hours in the afternoon, to receive their tokens; and such as compear not to be banished the town. It is statuted and ordained the said day, by the magistrates, with consent of the haill inhabitants of the town, That the said town shall be divided into four parts, for shunning said plague, and quarter-masters appointed thereto; and two brewers to be admitted alternarly, in every quarter.

The magistrates, November 28, 1606, ordain, That the haill inhabitants of the said town shall repair to the preaching in St. Machar's kirk, on Sunday and Wednesday, under the pains following, viz. the goodman and goodwife of the house contravening, 6s. 8d.; and ilk servant 2s. Scots.

The principal and masters of the college of Old Aberdeen, formerly held courts within said college several years, for the college bounds, and chose their own bailies, punished and fined delinquents, decided controversies until December 10, 1612, that bishop Blackburn elected and chose provost and bailies, both for the town and college-bounds; that their jurisdiction be not confounded, but be safe to them, and that they concur with others; which provost and bailies accepted the said office, and gave their oaths *de fidei administratione*; Mr. David Rait being principal, and common procurator of said college. The said day it was statuted and ordained, by the said provost and bailies, That whatsoever person or persons lend to any person in the college or grammar-school above a merk piece, upon a wedd or otherwise, that the
same

same shall be null, and of no strength on the scholar; and the scholar to get back his own gear again, without paying any sum therefore; and to tyne such sums as he or she shall happen to give; and the receptor of such wedds being convicted, therefore shall pay the sum of 5*l.* to the town. Upon said day it is statuted and ordained by the said provost and bailies, that the hail wells within said town shall be built an ell high above the earth, before day of December instant month by the possessors, or else be closed up and condemned; ilk person failing under the pain of five merks Scots money.

The magistrates, February 22, 1613, ordained, That whosoever he be that deforces the officers within said town in execution of their office, and putting their decreet in execution; ilk person, man or wife, deforcing, shall be put to the stocks the space of 48 hours, and pay 1*l.* before they come out thereof.

Anno 1614, April 5, it was statuted and ordained, by the magistrates of the town (the kirk being lately repaired), that whatsoever bairn or scholar be found within the kirk or kirk-yard, playing or casting stones on the kirk, or breaking windows, that the owner of the bairn, or master of the servant, shall pay 6*s.* 8*d.* Scots, *toties quoties*; and the vagabonds to be bound to the cross, and bridled thereat, and stand 24 hours bound.

Anno 1617, November 4, The magistrates of this town appointed four several persons to go weekly through the town and taste the drink; and when the same is found insufficient, to declare the same to the bailies, that it may be confiscate to the poor folks.

Anno 1634, November 12, the said day, it was statuted and ordained by the magistrates, with consent of the inhabitants of said town, That every man within said town shall build his own casaway forenent his own dwelling, betwixt the date hereof and the
20th

20th of December next, under the pain of 10l.; and this confirmed by a town-serjeant act.

Anno 1660, April 30. The principal and members of the King's college, and Mr. William Lind, late bailie in Old Aberdeen, elected betwixt them, for marching the common road or gate that goes to the Tyle-Burn, viz. Mr. James Howey of Mameulay, Thomas Gordon of Cathock's Mill, and Thomas Angus, bailies in Old Aberdeen, with powers to cause set marches and stones for knowing ilk one division; which the said arbiters did, and ordained the same to be recorded in the town and college books, there to remain *ad futuram rei memoriam*; which marches were set before witnesses, indwellers in said town.

Anno 1661, October 14, James Gordon of Seaton, William Johnston of Middleton, and captain Arthur Forbes were chosen bailies for the ensuing year; and at that time were chosen to be councillors Mr. George Gordon, professor of philosophy in King's college, son to the deceased Sir George Gordon of Haddo. Thereafter the said George Gordon applied himself to the study of law, and was made president of the council of Scotland, and afterwards advanced by king Charles II. (in regard of his great parts and qualifications) to be high-chancellor of Scotland, and after that was made earl of Aberdeen. To the said Mr. George Gordon were chosen councillors in Old Aberdeen, Mr. Patrick Sandilands, sub-principal in said college, Mr. William Johnson, professor of philosophy, Thomas Gordon of Kathock's-Mill, Patrick Gordon of Boghole, &c. all councillors in said city of Old Aberdeen for the year to come.

Anno 1662, April 22, It was condescended upon by the said magistrates and council, that there should be a commissioner sent to the bishop, viz. Mr. David Mitchell at Edinburgh, for bringing him to the said city to dwell; and the said commissioner should have

have 100l. Scots, to make his expences; and the town to be presently stinted therefore; and at the same time elect James Gordon of Seaton, bailie, to be commissioner.

Anno 1662, June 3, the bishop's letter being read by James Gordon of Seaton, commissioner, in which the bishop desires the bailies and council to provide an house, &c. the bailies and council condescended upon the chancellor's manse, being free for the time; and the council ordain the present bailie with some of the council, September 17, 1662, to borrow an hundred merks Scots from Dr. Andrew Muir, for reparation of said house, upon the town's accompt, who gave their bond therefore; and the council declare to relieve the aforefaid persons at all hands.

Anno 1663, November 10, The said court holden by the reverend Dr. Alexander Burnett, bishop of Aberdeen, who the said day elected James Gordon of Seaton, William Johnston of Middleton, and Mr. John Dalgarno doctor of medicine, bailies for the year to come, who gave their oaths *de fidei administratione*.

The said court holden October 11, 1665, by the right reverend Dr. Patrick Scougal, bishop of Aberdeen, who elected James Gordon of Seaton, Patrick Gordon of Boghole, and George Gordon of Fathocksmill, bailies in Old Aberdeen for the year to come.

Anno 1667, Mr. John Scougal, commissary, was elected provost in said city by his father and the bailies, &c.

The said court holden April 11, 1668, by Dr. Andrew Muir, Mr. Patrick Sandilands, and William Forbes, bailies, the said day it was statuted and ordained, That no person, nor any inhabitant within this town go to Seaton, or any part about the town, to play at the bowls at any time hereafter; whosoever shall do in the contrary hereof shall pay 5l. Scots *toties quoties*, for every contravention that shall be made against them. And a person was sent to
the

the principal of the college to restrain the students from using said game, in respect of diverse inconveniencies that shall happen out thereby.

King Charles II. parliament 1st, Sept. 3. There was an humble offer to his majesty of 20,000 foot and 2000 horse, armed and furnished with twenty days provision, proportioned upon the shires, to be in readiness, as they shall be called out by his majesty, to march to any part of his dominions against any foreign invasion, or any intestine insurrection; or any other service wherein his majesty's honour or authorities may be concerned: That every footman should have 6s. Scots in the day, and the horseman 18s. Scots; the horse to be worth 10l. sterling; which was ratified in said parliament of session.

Anno 1668, June 3, by the commissioners of the shire of Aberdeen, the militia were ordered to be sent forth for his majesty's service, &c. There were four militia-men, and a fourth part of a horse put forth for the town of Old Aberdeen. The men were well mounted with cloaths and armour, and the leader of the horse was lady Kigie, who had a lodging in the chaſtry, and a hannot upon Don.

Anno 1680, December 14, The said day the merchants in Old Aberdeen desired from the provost and bailies, the liberty of collectors within the town; one in every quarter, and a cash-keeper; in reference to the building a new loft in St. Machar's church, for the magistrates and their own accommodation; which design was granted by the said provost and bailies, conform to a right granted to the merchants by the right reverend Patrick bishop of Aberdeen.

Anno 1681, May 21, the treasurer represented, that he being obliged to pay to the town yearly 20l. Scots of brew-custom, and the greatest part of the brewers delayed, and many of them refused to pay, though formerly in use to pay; wherefore the bailie, viz. Mr.

Mr. John Buchan, regent, ordered, That every boll of malt fold within the town by countrymen, shall pay 12s. Scots to the treasurer; and this to be in place of the brew-customs of malt, which is hereby discharged to them in all time coming.

Anno 1682, October 14, The said court was holden by the reverend Dr. George Haleburton, bishop of Aberdeen, who elected the magistrates of said town till next election.

Anno 1683, October 16, The bishop elected James Scougal Provost, James Gordon of Seaton, Mr. John Buchan, Mr. George Frazer, regents of the King's college, and Mr. Patrick Gordon, humanist there, bailies.

Item, the said bishop made an act concerning the holding of the town's courts of Old Aberdeen, and ordains, that the bailies should sit to administer justice monthly *per vices*; and that one bailie should sit weekly in the council-house, ilk Saturday of ilk week, at ten hours in the forenoon, to administer justice, conform to former acts, made thereanent.

Item, the said bishop made an act, That no man within the town shall go before any other judge to pursue his law-suits, under a penalty, &c.

Anno 1689, March 11, The provost and bailies who were chosen for the current year, made an act discharging the town's officers from charging the inhabitants before the bishop's bailies (who held courts for the bishop's vassals), or meddling with any affairs before that court, &c.

The court of Old Aberdeen, holden March 23, 1689, by Mr. James Keith, one of the bailies that were chosen for this current year; it was appointed by the said bailie, with consent of the council, that a letter be sent to the bishop anent the division of the kirk, and to recommend the heritors to the prebendary, &c.

Anno 1689, March 22, An act was made by the provost and bailies of this town against washing at the channel within the

chanry, or at Powie's bridge, above the bridge, or on the common street, under the pain of 4s. to be paid to the treasurer, and 12s. to the officer, who is appointed to take the washing-tub and cloaths while they be paid; and that for each transgression, *toties quoties*.

Anno 1689, May 8, The said court holden by the said bailies, viz. the said Mr. George Frazer and Mr. James Keith, the said day, the bailies with the heritors of riggs and roods of land in Old Aberdeen, having met in the council-house, ordered a collector to collect the money for the out-rigging the fourth part of the militia-house, being 4s. upon the 100l. rent; which extend upon the roods of Old Aberdeen to 13l. 6s. 8d. Scots, which the magistrates appointed the heritors to pay to the collectors, under the pain of quartering, &c.

Anno 1689, The said bailies made an act anent exercising the inhabitants of Old Aberdeen in the discipline of war, that they should meet every day, except on the Sabbath-day, on the bowling-green in the college, at three o'clock in the afternoon; and John Keith, writer in Edinburgh, is desired by the said bailies to exercise them.

Anno 1689, Mr. Patrick Gordon, humanist, in the King's college, and Mr. James Keith, being bailies in Old Aberdeen, for fear of an invasion from the highlandmen, appointed nightly a guard of 24 men, each night, by and attour the captains; and to begin at nine o'clock at night, and to continue till five in the morning.

Anno 1689, November 6, The said court holden by Mr. James Keith, bailie; Forasmikle as there have been several complaints anent the deep draw-well in the deceast John Frazer's close, it being level at the ground; and that children in the day-time and old persons in the night have fallen into it, by reason there was no mantling about the top of it; and though the magistrates formerly

merly had desired or ordered Marjory Irvine, relict of the deceased John Frazer, to build the said well with mantling of timber above the ground, and that she had done nothing thereanent; therefore, for preventing any danger for the future, the said bailie and council order James Duguid, wright, to make the mantling of said well of his own timber, or order the said Marjory Irvine for one year's rent within the close, to pay for building of the same to the wright, certifying them that they shall have retention in their own hands, in the first end of their respectable maills; and that the said disbursements shall be allowed them.

Anno 1690, February 15, The said court holden by the said bailie Mr. James Keith, James Duguid gave in a petition to the bailie and council, Whereas he had built a raveling about the aforesaid well, and the expence thereof extends to 5l. 10s. 8d. Scots; therefore, the bailie orders the said tenants to pay the wright the aforesaid accompt, or any of them; and orders the said Marjory Irvine to grant them a discharge thereanent, &c. This lodging, with the yard, malt-barn, kiln, close, and well, with the brew-house next the barn on the North side, now made a dwelling-house, and this year, 1726, possessed by Alexander Cruikshank, wheelwright, his wife and family; as also the house in the end of the close, all the aforesaid tenement, &c. belongs to Mr. William Chrystie, master of the musick-school in Old Aberdeen; and the said well hath a sufficient stone wall round about the top thereof, for a defence (through the providence of God) to prevent danger to any person, &c.

Anno 1690, April 23, There was produced an act of privy-council, for electing the magistrates of Old Aberdeen. The magistrates and council having petitioned the lords of privy-council thereanent; the lord-advocate said, By abolishing prelacy, the power of nomination of magistrates belongs to the king; but in respect of necessity, they might name for magistrates of that burgh

of barony. Then they appointed Mr. James Keith of Aquhorske, and William Baxter, advocate in Aberdeen, indwellers in Old Aberdeen, to be magistrates for this year.

Anno 1690, November 11, In presence of the said Mr. George Frazer and William Baxter, bailies, the said day there was a complaint given in by some of the heritors; That in payment of cess and other impositions there hath not been a true rental of the riggs, &c. in Old Aberdeen; neither in the town nor chañry; which being exactly casten, the sum of the hail is 218 bolls, recorded in the town's books, and signed by the aforesaid bailies, &c.

Anno 1691, July 16, The magistrates and council of this town having petitioned the lords of the privy-council to nominate magistrates to rule the city of Old Aberdeen for this present year; wherefore they nominated Mr. Alexander Frazer, regent of the King's college, and James Knight, merchant in Old Aberdeen, and two other magistrates of said Burgh, to be magistrates for the space of a year.

Anno 1691, October 24, Mr. John Johnson was admitted clerk to the town and trades of Old Aberdeen, *ad vitam vel culpam*, and freed (by the provost and bailies then, viz. Mr. John Scougal provost, Mr. Robert Forbes, regent in the King's college, and Patrick Hay, advocate in Aberdeen, indweller in Old Aberdeen, bailies) from paying excise for his brewing within the town of Old Aberdeen, during his office of clerkship; and this act is signed by the aforesaid provost and bailies.

At the court of Aberdeen holden September 7, 1691, Mr. Alexander Frazer and James Knight being bailies, with the other magistrates, viz. the said day, the bailies, with the consent of the treasurer and council; and also of Mr. John Johnson, present clerk of said town, nominate and authorize William Owen, notar-publick, writer in Old Aberdeen, to be conjunct clerk with the
said

faid Mr. John Johnston, all the days of his life-time; and after his decease to be sole clerk of said town; and for them and their successors, magistrates, treasurer and council admit him thereto, during all the days of his life-time; reserving to the said Mr. John Johnston, all the days of his life-time, the hails salary and casualties that pertains to his office; and after his death accerts to the said William Orem, during his life-time; with full power to the said William Orem to the said office, jointly with the said Mr. John Johnston; or allow, in case of his absence or sickness; and for the said William's encouragement, they grant by them and their successors in office, to him yearly, during all the time of the said Mr. John Johnston's life-time, the composition of any one burghers in the town of Old Aberdeen ilk year, together with the sum of 101. Scots money, to be paid at Martinmas and Whit Sunday by equal portions, and ordain the treasurer to make punctual payment thereof. This admiffion was signed by the aforefaid bailies.

Anno 1691, December 3. Mr. Alexander Frafer and James Knight being bailies; the said day it was ordained, that no person within the town shall sell ale or any other liquor to students after eight o'clock at night, under the failie of four pounds Scots, *toties quoties*; otherwise, acquaint one of the bailies thereanent, if the students remove not at that time.

Anno 1692, There is an act of privy-council for continuation of the said bailies of Old Aberdeen for the ensuing year.

After the death of Mr. William Orem, George Adams, notary-publick, and advocate in Aberdeen, was admitted conjunct-clerk with Mr. John Johnston, in the same terms with the said Mr. William Orem; which admiffion was signed by Mr. Alexander Frafer and James Knight, bailies, &c.

The said court, holden March 13, 1695, by Mr. Alexander Frafer and James Knight, bailies in Old Aberdeen; the same day
it

it was statuted and ordained by them, with consent of the council, that no person within the town of Old Aberdeen presume to shear or take bent from the Links or Bentiehillocks, under the pain of ten pounds, *toties quoties*.

Of the BISHOP'S HOSPITAL.

The said bishop Gavin Dunbar granted a charter at Edinburgh, February 23, 1538, founding an hospital for twelve poor men, an hundred feet in length and thirty-two in breadth, having a timber steeple with a bell; twelve little chambers, with as many little chimneys for a little fire in each of them; a common kitchen; and in the east end an oratory. Dominus John Erskine had got from the king 200l. yearly out of the fishings and lands of Aberdeen, which the said bishop bought from him, and mortified it to the said 12 poor men. Each should get twelve merks of said sum at four times in the year, and a merk to buy a white coat. Their director was to get five merks of said sum; and the rest for bringing fire to them. They who were to be admitted to this hospital should be unmarried men of sixty-years; and no women to be seen in their chambers. One of them was appointed to be janitor, to open the outer gate, ring the bell in the morning, and at seven o'clock; and then at eight they go into the oratory to their devotions; at eleven to the mass in the cathedral-church; the bell of the hospital being rung, they go to dinner; at three to their devotions again in the oratory; and thereafter to their exercises in the garden; at five to their devotions again in the oratory; and also at eight; and thereafter to their supper in their private cells; and were obliged in their devotions to pray for the king and bishop's soul, and all their friends.

If

If any were contentious, and not agree with his neighbours, he was to be punished in his person, or extruded by the directors, with advice of the dean and chapter.

None were to be received but such as were of a good conversation, and lived in the bishop's lands; or those who had wrought about the kirk, the bishop's palace, prebends' lodging in the chañry, about the bridge of Dee; or had done service in the King's wars; which failing, the blind and the lame, &c.

King James V. confirms this charter before many witnesses, at Edinburgh, February 24, 1531. The said hospital was dedicated to God and the blessed Virgin Mary. The said bishop Dunbar gave the ground for the stance thereof, with the ground for its garden, which lies on the North side of the chañry; having the parson of Tillienestle's manse on the East, and the rector of Monumusk's manse on the West, and the water of Don on the North.

Gavin Dunbar became bishop of Aberdeen about 1518, and died March 6, 1531, about St. Andrews, before the said hospital was built; for above the gate is an inscription, *Per Executores*; and on the South side of said oratory another inscription, viz.

“ Duodecim pauperibus domum hanc Reverendus Pater, Gavinus Dunbar, hujus almæ fedis quondam pontifex, ædificari jussit, anno à Christo nato, 1532. Θεῶ δόξα.”

“ Gavin Dunbar, reverend Father in God, who was sometime bishop of this holy see, ordered this house to be built for twelve poor men, anno 1532. Glory to God.”

Within said oratory there is another, viz.

“ Isthuc oraturus Deum, memor, precor, sis animæ salutis Gavini Dunbar, almæ fedis Aber-

“ Whoever thou be that comest to pray to God in this place, I beseech thee remember in

Aberdonensis quondam pontificis, hujus cellulæ pauperum fundatoris, qui apud Sanct. Andream naturæ debitum perfolvit, sexto Idus Martij, tricesimo fefq; millesimo. At homines quibus alimentum dedit orare tenentur.

“ Gloria episcopi est pauperum opibus providere. Ignominia sacerdotis est proprijs studere divitijs. Patientia pauperum non peribit in finem.”

in thy prayers the safety of the soul of Gavin Dunbar, sometime bishop of the holy see of Aberdeen, and founder of this little cell for the poor, who died at St. Andrews, March 6, 1530. But those whom he alimented are bound to pray for him.

“ It is the glory of a bishop to provide for the poor, but a reproach to a priest to study only how to make himself rich. The Lord will not suffer the poor to perish*.”

Upon the South side of said hospital are to be seen the armorial-coats of King James V. of Scotland, and the said bishop Gavin Dunbar. In said oratory there is a desk for a chaplain, and seats also for said poor men; and a little baptizary in the South wall thereof. The bishop of Aberdeen is patron of this hospital. There is not so much rent now belonging to it as would maintain said number of men; for several persons have broken with their mortified money. There are only eight in it this year, 1725; and each of them gets 50s. Scots money monthly, which is 10s. more than they used to get formerly. They got yearly an hundred loads of peets, and a side of beef at Youle; by and at attour they got gratuities from several well-disposed persons. The members of the commissary-court of Aberdeen have been still very charitable to them; for the commissary gives them yearly two dollars

* The last sentence is from Psalm ix. 18. “ The patient abiding of the poor shall not perish for ever.”

or 5l. 16s.; and the clerk, and every procurator half a dollar yearly, at two terms; the one-half at the down-fitting of the Winter session, and the other at the down-fitting of the Summer session; and every Thursday during the two sessions, they get 6s. Scots out of the sentence-money of the court.

They are commonly called Bead-men, because of old they used to say their Pater-noster, and their prayers, by numbering their beads.

At the beginning of the reformation of religion, William Gordon, the last Roman catholic bishop of Aberdeen, makes the following inventory of the silver plate, and others belonging to said church, as the same was delivered in custody and keeping, upon restitution and for the use of the church, by the aforesaid William Gordon, July 17, 1559, subscribed by him and the receivers; with an obligation of restitution within ten days of premonition. The witnesses follow, viz. John Leslie of Balquhain, William Leslie his son, William Seton of Meldrum; Duncan Forbes of Monumusk, Alexander Gordon of Abergeldie, Alexander Leslie of Pitcaple, John Gordon of Craig, Sir Patrick Ogstone, Alexander Paip and Nicol Hay, notars publick.

THE INVENTORY.

	lb.	oz.	dr.
Imprimis. Delivered to Mr. Robert Erskine, dean of Aberdeen, candlesticks, chalices, papes, and crosses, weighing 11 3 $\frac{1}{2}$ ounces,	7	1	8
Item, To Mr. John Stewart, archdeacon of Aber- deen, ninety-two ounces,	5	12	0
	12	13	8

K

Item,

	lb.	oz.	dr.
Brought over,	12	13	8
Item, To Mr. Alexander Seton, chancellor, basons, confers, and chalices,	5	9	8
Item, To Mr. James Strahan, parson of Belhelvie, 91 ounces,	5	11	0
Item, To Mr. Henry Lindsay, parson of Kinkell, 90 ounces,	5	10	0
Item, To Mr. Alexander Anderson, parson of Mortlach, 83 ounces,	5	3	0
Item, To Mr. William Hay, parson of Turreff, 91 ounces,	5	11	0
Item, To Mr. William Campbell, parson of Tillienestle, $24\frac{1}{2}$ ounces,	1	8	8
Item, To Mr. Patrick Myreston, treasurer, $89\frac{1}{2}$ ounces, with a great gold chain, and great ring,	5	9	8
Item, To Mr. John Leslie, parson of Oyne, the image of the blessed Virgin Mary, of silver 114 ounces,	7	2	0
Item, To Mr. James Gordon, of Lonmay, parson, 16 ounces,	1	0	0
Item, To the aforesaid treasurer, five chalices for daily use, and two crowns, overlaid with pure gold, with rich precious stones in them			
	53	12	8

Item, To the Earl of Huntly, chancellor of Scotland, into his custody, upon his bond of restitution to the said church, upon ten days warning, and premonition by the bishop of Aberdeen, dean, and chapter, and their suc-

	lb.	oz.	dr.
Brought over,	53	12	8

ceffers, dated November 17, 1559; his cautioners therein being William Lefflie of Kirkhill, and George Barclay of Cairntillie, the species following, under the pain of God's curse; and the said bond is ordained to be registrated in the commiffary-court-books of Aberdeen.

Imprimis. A chalice of pure gold, with the pattine thereof, three pointed diamonds in the foot of it, and two great rubies of bishop Gavin Dunbar's gift, 59 ounces, (3 lb. 11 oz.)

Item, A great anchorist, double over-gilt, artificially wrought,	}	14	2	0
Item, Two filver candlesticks,		6	14	4
Item, An holy water font, and a stick all of filver,		6	12	0
Item, A filver cross, part over-gilt,		6	8	0
Item, A book, with the written Evangel', of which the outer side is filver, double over-gilt,	}	3	4	0

Those above written of pure gold, are marked with bishop Gavin Dunbar's arms.

Item, The bishop's great mitre over-gilt with gold, and all overset with oriental pearls and precious stones,	}	5	15	0
Item, Two filver staves pertaining to the bishop's pontificals, one weighing,		6	7	0
And the other, with the king's arms,		2	13	0
The sum of the filver work,		108	1	12

OF VESTMENTS.

Imprimis. Six capes of cloth of gold. Three of red cloth of gold, champed with velvet.

One of gold, champed with white velvet.

One of gold, champed with blue velvet.

A forbeffed cape and carbuncle. Five of red velvet. Four of blue velvet. Five of white damask. Two of green champed velvet. One old cap of gold; and three mort-capes, of double worfett.

For the ALTAR.

A front of gold, and green velvet. 2. Another of blue filk, with images of gold. 3. Two of carbuncle. 4. Two of arras. 5. One of fustian. 6. One of linen. 7. Two napkins. 8. One rich hand towel. 9. Four cushions of cloth of gold, lined with green velvet. 10. Two of cloth and filk. 11. Six of champed red velvet. 12. Four of old cloth of gold.

The PONTIFICALS.

A cheifeibull; four tunicles; three stoles; five favons of cloth of gold; five albs; five amicts, with paruts of cloth of gold.

A cheffibul; two tunicles; two stoles; three favons, of cloth of gold and red velvet; three albs and amicts, with paruts of the same stuff. A cheifeibull; two tunicles; one stole; one favon of white velvet and gold; three albs; three amicts of white velvet, and cloth of gold; three paruts.

A cheifeibull; two tunicles; two stoles; three favons; three albs; three amicts; three paruts; all of red velvet. As many of green velvet, &c. and all conform.

A stand

A stand of white filk, with all conform, and fet with pearls. A stand of carbuncle; with cheseibule; stoles; tunicles; amicts; favons; albs; and all conform.

A stand of brown filk, and cloth of gold; and all conform. A stand of pined filk; and all conform. A stand of white damask; and all conform. A cheseibull, &c. with all conform, of white fustian. A mort-stand, of black damask; and all conform, with the like pertinents. A stand of red scarlet; and another of brown camblet; all conform.

A great belt of green filk, knapped with gold; and another of filk and gold. Five rich belts, with blue and white bridges, knapped; and other five of gold and filk, knapped.

A corporal-caice, with a cover of cloth of gold; two corporals; one great stole; with two tunicles of white damask; two shoes of cloth of gold; with red damask hosen for my lord's pontificals.

Three beakens of brocade sattin. Another richly wrought. A great rich veil, with the towels. A veil for our lady. Another for the rode loft.

Two great curtains, red and green, for the high altar. The covering of the sacramental house; with an antipend for our lady's altar, of blue and yellow brocade sattin. An antipend for the sacramental house; with dornick towels to the same. A beaken for the sepulchre, of damask; and another of double worstett; with a great verdure, that lies before the altar. Three banners for the procession; and two burials, with their crists; with a cape for the cross; four tunicles and albs; for the bairns. The hail hangers of arras-work, of pieces for the quire; three mort-capes, &c.

The glorious structure of said cathedral-church, being near nine-score years in building, did not remain twenty entire; when it was almost ruined by a crew of sacrilegious church-robbers. For,
anno

anno 1560, the barons of the Mernis, accompanied with some of the town's-men of New Aberdeen, having demolished the monastery of the Black-Friers in the School-hill of Aberdeen, and that of the Grey-Friers in the Green, &c. came to Old Aberdeen, and began to rob said church, which they spoiled of its costly ornaments and jewels; except those which Huntly and the canons had got into their custody. They demolished the rest of the chancel, which was built close to the East end of said cathedral. It had a large pretty quire, well furnished with seats and stalls, for accommodating the clergy at mass.

In the end of said chancel stood the high-altar, well adorned with windows, and finely glazed, as some write.

Of FRIARS.

The said friers were differenced from monks, in that monks were confined to their cloisters; whilst more liberty was allowed to go about, and preach in neighbouring parishes. As also, monks had nothing in propriety, but all in common. Friers had nothing in propriety, nor in common; but, being mendicants, begged all their subsistence from the charity of others. But they met with very bountiful benefactors; and in Scotland, when their nests were pulled down, were too rich to profess poverty. The Dominicans, or Black Friers, called also Prædicatores, Preaching Friers, were instituted by St. Dominick, a Spaniard, anno 1206, confirmed by pope Honorius III. 1216. The Franciscans, or Grey Friers, called also Minorites, were instituted by St. Francis, an Italian, about anno 1198, and confirmed by pope Innocent III. His rule prescribed chastity, obedience, poverty, much fasting, and other austerities, to all that should be admitted of that order. The Franciscans are *Minores, tam observantes quam conventuales*.

The

The Carmelite Friars had their beginning at and name from Mount Carmel in Syria, being instituted by Almericus, patriarch of Antioch, anno 1112. They are also called White Friars. The Trinity Friars, or Mathurines, follow. These were also called Robertines, & *de redemptione captivorum*; whose work was to beg money of well-disposed people for ransoming of Christian captives from the slavery of the Turks. I can give no account concerning the several orders of Nuns in Scotland. The Grey-Sisters had their houses at Dundee, Aberdeen, and Skeens near Edinburgh. Thus much concerning Friars; now,

Of MONKS in general.

In the infancy of Christianity, when persecution was grown so hot that most cities and populous places were visited therewith, many godly men fled into deserts, there to live with more safety, and serve God with less disturbance. Those were called monks, from *μοναχος*, *solus*; as living alone by themselves. Their houses were either caves, grotts, or little cells; what would hide and heat, cover and keep warm, served them for cloaths. Herbs and roots were their diet, and water their drink. In these solitary places they spent their lives, constantly in prayers, reading, meditating, and such pious employments. They vowed no poverty, chastity, or obedience; thus continued they during the heat of persecution; and when peace was restored, they returned to their former dwellings, resuming their callings, which they had not left off, but for a time laid aside. Afterwards there sprung up another sort of monks, leading a solitary life, when no persecution forced them thereunto. These considering the inconsistency of human affairs, that though they had prosperity for the present, it might soon

soon be changed into a contrary condition, if either the restless endeavours of Satan took effect, or sinful Christians were rewarded according to their deserts; and prompted also thereunto by their own melancholick dispositions, chose a lone life, and lived in deserts; afterwards they were gathered together to live under one roof, because their company would be chearful in health, and needful in sickness one to another. They sustained themselves by their labour (for every one had a calling whereby to gain his livelihood), and relieved others by their charity; and very strict were they in their lives and conversations. But afterwards, monks having sufficiency turned lazy; then getting waxed wanton; and at last, endowed with superfluity, became notoriously vicious; and so they continued till they were finally extirpated. So far concerning their original. Now proceed we to their several orders.

First, are the Benedictines, or Black Monks; so called from St. Benedict, or Bennet, an Italian (who flourished about anno 500), first father and founder of that order. The Benedictines and Augustinians came into Scotland about one time.

The Cluniacks are Benedictines, sifted through a finer searce, with some additions invented and imposed upon them by Odo, abbot of Clugni or Cluni, in Burgundy, who flourished anno 913.

The Cistercians are so called from Robert abbot of Cisteaux in Burgundy, who, anno 1088, refined the droffie Benedictines.

The monks of the order of the Valley of Reeds, *Vallis Caulium*, are a branch of the reformed Cistercians. whose institutions, both in habit, diet, divine offices, &c. they punctually observe; but with great strictness confine themselves to much narrower bills. They possess very mean revenues, being wholly intent upon their devotions, and may not go without the bounds of the monastery; it being only lawful for the prior and one of the order to go abroad upon necessary occasions, and to visit the monasteries under
their

their charge. They are daily employed in dressing the gardens of fruits and herbs, which are within the bounds of the monastery, and improved for the use of it. The Augustinians are older in Europe than the Benedictines. These observe the institutions of St. Augustine bishop of Hippo, who was St. Benedict's senior by 60 years. The Augustinians are also called regular canons.

The order of the Præmonstratenses was founded by Norbert, born at Cologn, and afterwards archbishop of Memberg. He is said to have done it at the command of the blessed Virgin, who appeared to him; whereupon with some companions he retired into a desolate place, Præmonstratum (thence comes the title of the order), where they settled their society, anno 1120. They are under the rule of St. Augustine, which, they tell us, Norbert in a vision immediately received at the hand of St. Augustine himself. The habit of their order is a white garment, and over that a white cloak or mantle, with a cowl upon their head of the same colour.

The Tironenses (as I conceive) are not a distinct order of monks, but rather young novices, or fresh-water monks*.

In a catalogue of the religious houses in Scotland, there are some styled or termed *Ordinis Tironensis*, which if it were ever written *Turonensis*, would relate to Tours in France; and the rather, because there is in France a *Conventus Turonensis* of Augustinian monks; but wherein, or whether they differed from others, I know not. But leaving that to the reader's further enquiry, we proceed next to the monks of the order of St. Anthony, whose original was from St. Anthony, an Egyptian; who about the time of the later persecutions not long after Decius, retired into the deserts, where he lived about an hundred years, and became the

* The order of Tiron was instituted by St. Bernard, and took their name from their first monastery, which was founded at Tiron about 1109. They were reformed Benedictines, whose habit was at first a light grey, which was afterwards changed into black. Tanner's *Notitia Monastica*. Introd. p. xvi.

father of an eremitick life, wherein he educated all those disciples that resorted to him. After whose example, other orders were set up. About the time of the wars in Palestine, his body was translated from Constantinople to Mota (now called St. Anthony), a province of Viennois in France, where it was honourably laid up in a church built to his memory, and became famous for miraculous cures. Among which, Gasto, a nobleman of the province, and his son Girond, being healed of a mortal plague, dedicated themselves and all they had to St. Anthony, wholly devoting themselves to the curing and attending of the sick that came thither; to whom, shortly after, eight more joined themselves, who combined into a society. This was about anno 1121. Their order was confirmed by several popes; especially Boniface VIII. anno 1217; who prescribed unto them rules, and conferred upon them their privileges. They observe the rule of St. Augustine's order; and, as the peculiar and distinguishing badge of their order, wear about their necks the the letter T in gold or silver, hanging upon their breasts, and carry a little bell about them. The monks of this order had only one convent in Scotland, at Leith; but who was the founder thereof, I cannot learn. The Carthusians were instituted by St. Bruno, a native of Cologne; who being a Parisian doctor of divinity, and a canon of Rheims, abandoned the world, and with six associates began his austere eremitical life on the Carthusian mountains, in the diocese of Grenoble, with the licence of Hugh, then bishop thereof. This Bruno flourished under pope Urban II. and died anno 1101. King James I. brought the Carthusians into Scotland, and built them a convent in Perth (known afterwards by the name of Charter-house) about anno 1430. But to return.

These robbers having shipped the lead, bells, and other utensils of said church and chancel, intending to expose them to sale in Holland, by one William Birnie; all said ill-gotten wealth
sunk,

fun'k, by the just judgment of God upon sacrilege, not far from the Circle-ness, with the said William Birnie, anno 1560.

The body of the said church was preserved from utter ruin by the earl of Huntley; anno 1607, the said cathedral was repaired, and covered with slates, at the charge of the parishioners; and continued in good repair for the space of 81 years.

After this the aforefaid great steeple fell to the ground, May 9, 1688, in bishop Haliburton's time, who was put from his post in the beginning of the Revolution, anno 1689, and died in his own house in Angus, anno 1715. The occasion of its fall was, 1st, The Englishmen taking away the walls of the chancel, which guarded it upon the East, to build the fortifications of the castle-hill at Aberdeen, anno 1652, or thereby. 2ndly, The king's mason having sighted it a year before its fall, advised, that there might be buttresses built to support it on the East side, and to keep it five spaces from the foundation. But the masons, contrary to this advice, began at the foot of its foundation, which occasioned it immediately to fall. Then it broke the college and merchant's lofts, and many desks and grave-stones in the church and the two isles, which had been laid upon persons of distinction, and covered with plates of brass, that were taken away when the church was robbed. It also raised coffins, made of congealed sand as hard as stone, wherein people of note had been laid.

At this time, there was a beadle of this church called William Gall, who in the night time had sifted the ashes of the dead, to get rings and other pieces of gold, whom Dr. Keith, then minister, severely reprov'd for so doing, on a Sunday, before the congregation; and it was observed, that the said beadle never prospered one day after so unchristian an act.

The two bells that hung in this steeple were got down, and preserved by Mr. George Frazer, subprincipal; Kenneth Frazer, mason; and some others; and, when they had brought them to

the West door of the church, immediately the steeple fell; and it was a great providence that these men were preserved, and so narrowly escaped. The pulpit, built by the said bishop Stewart, as witness his name on it, was also preserved, being removed some time before the fall of said steeple. The common loft and West end of said church remained safe, as formerly.

Thereafter, Dr. John Keith, then minister of said church, called a meeting of the masters of the college, the heritors, and session, to consider how the East end of said church should be built and repaired. At last it was agreed, that seeing the deceased bishop Scougal had mortified 2000 merks for the behoof of St. Machar's church, it was resolved upon, that the money should be raised for that effect. Then, the minister and session gave the money to Mr. George Frazer, subprincipal, to perform the work. He employed six masons at 20s. Scots per diem. He was overseer himself, and the work was completed in six weeks; having stones in abundance, and nothing wanting but lime. They built the walls within the pillars on which the great steeple stood, as may be seen. He that was then master of kirk-work related, that the said subprincipal gained a thousand merks Scots by that bargain; only he gifted a large English bible in folio to the church of St. Machar, as the superplus of bishop Scougal's mortification.

In said new wall are two doors to go into St. John's and bishop Dunbar's isles; as also two windows, one above each door.

Of the CROSS of OLD ABERDEEN.

The inhabitants of this ancient city had liberty to erect a cross, conform to the fundamental charter. There was engraven and cut out of stone at the top of this cross on the South and North sides thereof, the picture of the blessed Virgin Mary, which was

defaced at the beginning of the Reformation; and below are the armorial-coats of the kings of Scotland; bishop Dunbar, bishop Stuart, and bishop Gordon, yet to be seen. The crucifix on said cross was cut down in the time of the last troubles, anno 1640; as saith Mr. Spalding in his Book of Annals, who lived in town at that time.

Of the SONG-SCHOOL, COUNCIL, and WEIGH-HOUSES,
in OLD ABERDEEN.

It is fit to narrate, that of old there was a dyke, which went betwixt the street that goes into Cluny's Port in the chanry, and that as people pass to the bridge of Don; and in the middle of said dyke there was a great draw-well, which was common to said town; and the decessit Mr. John Robertson's close was formerly Sir Alexander Gordon of Cluny's peat-yard, and Borrow Strand was his peatman, who built a little house for himself on the West side of the yard; and the said Cluny got him infeoffed in said house and peat-yard. In process of time, houses have been built round about this yard, except to the South, where the said well stands.

About January 10, 1642, John Forbes and Thomas Mercer, bailies in Old Aberdeen, by the tolerance of Dr. Guild, principal of the King's college, who had got a gift of the bishop's lodging from the States, &c. caused masons to throw down the bishop's dove-cote, to build a Song-school where it now stands; and Weigh-House built on the South side of said draw-well. The said school, council, and weigh-houses are all under one roof. This house is lofted, two rooms whereof are appointed for the musick-school, one laigh and another high; the former properly for accommodating children, who were only taught to read, write, and learn
arithmetic

arithmetic; and the latter for those who were taught vocal and instrumental musick; and upon the same flatt is a room towards the East, pretty large, called the Council-house, where there is a bench for the magistrates, and a table below it of equal length therewith, with fixed forms round about the same; and a bar, that people might not rudely encroach into that particular part of the room where the bench is fixed; whereon the magistrates sit and determine in matters that shall come before them, according to justice. Above said bench are the King's arms; and below the council-house are the weigh and meal-houses. These rooms are well known. Of old, there was another apartment for the musick-school; and the magistrates kept their courts formerly in the session-house of St. Machar, which was also their council-house. There is also a door betwixt the musick-school and the council-house, for the conveniency of the master and his scholars, when he chooses to go into that room where the council sits.

The NEW TOLBOOTH in OLD ABERDEEN

was built anno 1702, on the South side of said school, by a voluntary contribution of the inhabitants, and other well-inclined people; the expences whereof were upwards of 3000 merks.

The bailies then being, Alexander Frazer of Powis regent in the King's college, William Baxter, the deceased James Knight, and Mr. John Robertson, subscribed each of them for 30l. Scots, as their voluntary contribution, to be a good example to others. Mr. William Chyrtie, present master of said school, paid for the same effect twelve pounds Scots to Mr. Andrew Aberdeen, then treasurer of Old Aberdeen, and collector of said contributions, for the building of said Tolbooth. Notwithstanding the said bailie Robertson's

son's signing for the same, as said is, yet he protested against the building thereof; alledging, that the said musick-school, council, and weigh-houses, and the new tolbooth, which the magistrates were building, stood all on his ground; as having a right by his wife, Helen Strand, a near relation of the said Barrow Strand; whereupon followed a great debate. At last, this action was brought before the Lords of Session; but the magistrates of the town at that time so managed it, that the said Mr. John Robertson and his wife lost the action, and were ordained, by decreet of said lords, to pay of expences to the town of Old Aberdeen four thousand merks of Scots money, which is not yet paid. Then, the debate being ended, the said building was perfected, having three rooms; the lowest for thieves, the next for other prisoners, and the third for the bell and-clock.

The bell was placed there anno 1713; which cost by voluntary contribution of the inhabitants of Old Aberdeen, and others that had a kindness for said town 10l. sterling, having this inscription, *Ad sacra concilia vocamus. Albertus Gellie fecit, anno 1713.* It is rung at six in the morning and nine at night; besides on sabbaths, week-days, and other occasions, such as rejoicing, &c. And he that rings it, and waits on the clock, gets yearly from the treasurer six pounds Scots.

The clock, globe for the moon's age, dial-board, and town's arms were all put up, partly by a voluntary contribution from the inhabitants of said town; whereof Mr. William Chrystie afore-said paid James Hatt, then town treasurer, and collector appointed to gather up the said contribution, ten shillings sterling, and got his receipt thereof; and what the voluntary contribution could not defray as to the necessary charges for said clock, &c. the treasurer paid out of the town's money. The authentick sum was

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The magistrates of Old Aberdeen and treasurer there have built at the town's charge, upon the South side of the council and weigh-houses, a conveniency for a flesh-mercate, and covered it with tyles, anno 1723.

An account of WEIGHTS and MEASURES.

Anno 1686, In presence of the provost and bailies, there were found in the weigh-house the species following, viz. Four half-stone weights, and four haill ditto; item, three-quarter weights; two-pound, and pound ditto; with a timber-balk, and broads; item, seven pecks; with their stroaks. At same time, the provost and bailies ordained the tackfman of the weights and customs to buy the number of an hundred iron weights, viz. fifty-pound, and two twenty-five pound weights, with one steel-balk.

Anno 1691, They ordained the treasurer to cause make three new pecks of the former measure, and burn with the town's iron; making in all (with the former seven) ten pecks. This is the inventory at present of the weights and measures of the weigh, or meal-house, and for which every tackfman of the customs is accountable. But there is no great matter for pecks; because all meal is to be weighed, conform to act of parliament made thereanent anno 1697.

Of the Two PUBLICK MERCATES.

The town of Old Aberdeen has a liberty for two publick mercates, conform to said fundamental charter; the former whereof
is

is called in the public almanacks Skeir Thursday before Pasch. But 'tis wrong so named. It should be called Shrove-Thursday; for shrift, or shriving is auricular confession, which was used in the time of popery, before Easter. Shrift, a Saxon word, from *Scrinium*, a secret cask, the inward breast, *quasi revelare peccata ex intimo scrinio*. The latter is called Luke's Fair, which stands about the middle of October; so named from St. Luke's day. It stood eight days, which is on the 18th of October.

These two mercates in the popish times stood within the chanry, and were great ones. But at the beginning of the Reformation of religion they decayed, by reason of the troubles of the times.

Auricular confession, as aforesaid, is thus defined; viz. Every one in the Romish church is strictly bound, once, or oftener in the year, to come to a priest, and confess his sins to him, and receive his orders for penances and satisfactions, to be performed for the sins he has committed, or the guilts he has contracted; and withal his absolution and advices for the ruling of his conscience, and a solution of his doubts and scruples, &c. Now, it is permitted to every man, for the most part, to choose his own confessor. The Jesuits, therefore, those priests who call themselves the Society of Jesus, being a stirring party; and being both ambitious and anxious to have a great dependance; and as many as they can get under their government and conduct, and at their beck and discretion, set up for being prime casuists, singularly clever in determining about matters of conscience. And knowing very well, that men are generally inclined to sin as securely and at as cheap a rate as they can; and, by consequence, to like those casuists and confessors best, who are ready to allow them the greatest latitudes; 'tis one rule in the politicks of this society to mince sins, and make as few of them mortal, and as many of them venial as they can; and to give those who come to them the smoothest and the easiest re-

solutions; and in nothing do they make greater stretches, or allow greater liberties, than in the matters of equivocation, and mental reservation. And as to the trick of equivocation, they say, It is no sin for a man to use such forms of speech as he very well knows will deceive, or impose upon those he deals with; provided the words he uses, by any figure or unusual stretch, may be forced into a true meaning. You will understand this trick best by instances. Suppose, therefore, that a magistrate enquires if Socrates is at home, and he speaks Latin; putting the question, *An Socrates est domi?* Is Socrates at home? Socrates' wife, or his child, or his servant, may very safely answer, *Socrates non est domi*; that is, Socrates is not at home. Why? the word *est* forsooth sometimes, though less usually, signifies he eats; so that the meaning of the answer is, "Socrates eats not at home." Perhaps 'tis his fasting-day; or he has eaten sufficiently already, and is not just now eating. Pericles, a Grecian general, promised safety to the enemy, provided they would lay aside their iron (*si ferrum deponerent*); that was their arms, as all the world understood it. They honestly laid aside their arms: but he fell on, to cut them off every man, and yet he kept his faith well enough: Why? because forsooth they had iron buttons in their doublets.

Afterwards, about anno 1664, James Gordon of Seton, then bailie of said city, with the assistance of the other magistrates, reviewed and renewed the said fairs; and ordained the foot-mercate to stand at the cross, and the nolt and horse-mercates on the ground adjacent to said city on the West side, where they yet continue.

Several acts were made against forestallers of the mercates of said city, which were ratified anno 1689, by Mr. George Frazer and James Keith, bailies; with this addition, That ilk person so forestalling shall pay 40s. for the first fault; for the second 3l.; for the third 4l. Scots; and ordained the town's officers to wait on them ilk Thursday's afternoon, and ilk Friday's morning, to apprehend

prehend them, and take from them all the commodities so forestalled, and to keep the one-half to themselves, and the other to be disposed of as the magistrates think fit; and the treasurer is ordained to take notice, that the officers do their duty; which if they neglect to do, or connive with any person, they shall pay the fine the guilty person is liable for.

The magistrates of said city, some days before the said mercates, order the drummer to go through the town with the drum, and advertise the haill inhabitants to clean the streets and wynds; and that no person within the town receive unaccustomed goods within their houses, nor any loose people, under a penalty.

Item, one of the bailies, with the four quarter-masters with him, are appointed to sit in the council-house, to administer justice, when any debate or controversy happens among the people concerning buying or selling in the said mercates.

Item, the said magistrates order the treasurer, with two or three persons with him, to go through the town of Old Aberdeen, to sight the merchant's weights, measures, and elvans, before said mercates, and see if they be sufficient; and if not, to take them from them, and produce them before the magistrates the next court-day.

The customs of these two mercates, with the petty customs, to which belongs a rigg on the East side of the town, are all yearly roup'd; and this year, 1723, the customer, or tacksmen pays for them to the treasurer the sum of . . .

The inhabitants of said city paid to the bishop yearly of fue-duty 165l. 15s. Scots, which is now paid to the collector of the bishop's rent; for this ancient city was fued out by the bishop of this fee, as is said. But the exactest sum now paid is 216l. said money; and borrow-roods about it amount to the same.

Several noblemen have been made burgeses in this town. Imprimis. Kenneth lord Kintail, anno 1674. Item, Lord John Elphinston,

phingston, 1690. Item, George lord Rae, 1693. Item, Robert viscount of Arbuthnot, 1693. Item, Robert master of Burleigh, ditto. Likewise, many gentlemen of distinction; besides officers of the military.

To this city pertain a Common-mofs and Freedom-hill, lying at some distance, beyond the bridge of Don, to the North. The magistrates of said city have made several acts concerning the regulation of said Mofs.

Since the town's court-books are lost, as said is, there cannot be got an account of all the proprietors of Old Aberdeen; but those extant follow: Imprimis, Sir Thomas Gordon of Clunie, anno 1603. Item, Alexander Gordon of ditto, 1606. Item, Alexander Gordon of Bersmore, 1647. Item, Mr. John Scougal, commissary of Aberdeen, 1671. Item, Mr. James Scougal, ditto of ditto, 1683. Item, Colonel John Buchan of Cairnbulg, 1719.

John Gordon, provost of Aberdeen, finding fault with Mr. George Liddel, professor of mathematicks in the Marischal-college, turned him out of his post, and caused affix an edict upon the most patent door of the said college-gate, inviting all men to come and dispute for the said Mr. Liddel's post, assuring them of *detur digniori*. But the said Mr. Liddel applied to the King's advocate, who assured him of his post; so that there was no diet appointed for the dispute. One Mr. Thomas Bower came from London to dispute for it; being disappointed, he protested against the magistrates of Aberdeen, for cost, s'kaith, and damage, &c. Thereafter, he applied to the Scots parliament holden at Edinburgh, anno 1707; and got 40l. fixed upon the town of Aberdeen, and 10l. sterling upon the town of Kirkaldie, to be professor of mathematicks in the King's college of Old Aberdeen. At that time the magistrates of Aberdeen were seeking a gift of the pennies, and said, They would be content to pay Dr. Bower the said 40l. if the parliament would give them the Old Town, Seatown, and 'Spital,

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which

which was granted them. And so they fixed 40l. sterling on these towns. But the inhabitants of Old Aberdeen complained much for laying such a taxation on them, having never paid pennies formerly. And, to free the inhabitants and brewers of Old Aberdeen from being troubled with New Aberdeen's collectors of the pennies, the magistrates of Old Aberdeen, viz. Mr. Alexander Frazer, regent in the King's college; Mr. William Gordon, Kintore, William Baxter, and Alexander Troup, engaged and contracted with the magistrates of New Aberdeen, to pay them yearly the said 40l.; but this contract they made allennarly of themselves, without consent of the town or council of Old Aberdeen. But afterwards, the Old Town brewers suspended them, because Dr. Bower was gone to London, and did not officiate here in the said college as professor of mathematicks. Yet, notwithstanding the aforementioned magistrates of Old Aberdeen, who hath this contract with the magistrates of New Aberdeen, without consent aforesaid, dismissed the suspension, and made them liable, by a decret of the Lords of Session, to pay the yearly pennies and expences. At last, anno 1717, Dr. Bower dimitted; whereupon the town of Old Aberdeen's collectors discharged the magistrates of Old Aberdeen of the said contract and pennies; which they paid yearly to them before the said Dr. Bower's dismissal, July, 1719.

In the time of Cromwell's usurpation there was no authority for choosing magistrates in Old Aberdeen; but the town elected any man that would accept; neither was there any, &c. from 1712 to 1719.

Mr. Chalmers, principal of the King's college, intending to go to London the end of August, 1718, some of the inhabitants employed him to get a charter and commission from king George, for choosing of magistrates in Old Aberdeen. The charter and commission were sent down, and the magistrates names insert therein,

therein, viz. David Forbes of Lefslie; Mr. John Kerr, regent in the King's college; Alexander Molyson and John Robertson, merchants in Old Aberdeen; whereupon there was a meeting in the council-house of said town, May 27, 1719, for them to accept of said office of magistracy; and accordingly, all of them, except David Forbes of Lefslie, accepted; and upon 1st of June thereafter chose members of their council.

This commission cost the town of Old Aberdeen 33l. or 34l. sterling. Anno 1719, October 2, there was an election for the year to come, and the said bailies were continued; and at the same time they elected colonel John Buchan of Cairnbulg, provost of Old Aberdeen, who qualified and accepted upon 29th of said month.

The merchants in Old Aberdeen, with the money in their box which they had contributed amongst themselves (the annual rents thereof to be employed for the use of decayed merchants and their relicts within said town) bought from Andrew Cassie, writer in Aberdeen, twelve boll's sowing, upon the East side of Old Aberdeen, betwixt the lands of Alexander Molyson on the North, and the lands of to the South; for which they paid 2000 merks Scots, anno 1720. The same year there happened a great debate between the magistrates of Old Aberdeen and the trades thereof. The said trades had formerly got burgher's tickets to be merchants and tradesmen in said town; but the magistrates challenged this, and said it was not practicable; and that they had brought in that custom in the time of Oliver's usurpation. This debate continued for some time; at last it was agreed, that the said tradesmen, that had got their burghers-tickets after that form to be merchants and tradesmen within the town of Old Aberdeen, might continue so during life; but their sons must enter only as tradesmen, and pay their composition, 10 merks; but if they
incline

incline to be merchants, they must pay the merchant's composition, which is 20*l.* Scots money.

Anno 1720, the magistrates of Old Aberdeen sued the rector of Monumusk's gleib and yard from the director of the hospital in said town, and pay him yearly the rent thereof, which is 18*l.* Scots; that the inhabitants in said town may have passage that way to the river Don, for washing, &c.

Anno 1723, June 28, there was a great fire raised accidentally upon the West side of said town, and burnt two tenements of houses belonging to two several heritors, viz. the heirs of the deceased James Hervie, sometime merchant in Old Aberdeen, and the deceased Andrew Wilson, sometime there.

This fire, the drought being very great, would have consumed more houses in this town, had not a water-work been brought from Aberdeen, which very much contributed for quenching it. The South-West tenement, which is burnt, pertains to William Wilson, now in Ireland, son to the aforesaid Andrew Wilson; and the North-West tenement belongs to George Black, merchant in Old Meldrum, who married Jane, a daughter of the said James Hervie.

Of the WYNDs on the East side of Old Aberdeen.

Imprimis. Reid's Wynd, in the end of the town, as people pass to the bridge of Don, lying upon the East side of the street; so called from a man of that name, who lived sometime there. From it there was a broad green way to the links, for the use of the clergy who lived in the chantry and chaplain's chambers.

Anno 1658, March 28, it was ordained by the bailies in Old Aberdeen, that neither man, woman, horse, or foot, should pass
down

down that road called Reid's, lying in the East side of this town, in prejudice of John Caffie, heritor thereof, after the date hereof; ilk horse, man, woman, or child, under the pain of 6s. 6d. Scots; and ilk feoman 3s. 4d. to be paid by them to the town's use. The caſaway of this Wynd was lately repaired. Near it is the High-street, leading to the bridge of Don.

In the popiſh times there was a channel made through the land aforeſaid, for conveying the water to the Tyle-Burg, which came to this place from the town to the town; but after the Reformation this channel being filled up, the water ſtank, and made the way for paſſengers uneaſy in the winter-time; therefore, anno 1636, the magiſtrates of Old Aberdeen ſtatuted and ordained, that the ſaid way in the Old-Town end ſhall be caſawayed with ſtones, which was done by a contribution of the inhabitants. Notwithſtanding of this new caſaway, the water having no paſſage thro' the land as formerly, ſtagned, and became a deep ditch on every ſide, for ſeveral years; which was dangerous for man and horſe in the night, and for children in the day-time; and the corruption of the water produced a very bad ſcent and ſmell to the people who lived in the North ſide of the town. But anno 1723, the magiſtrates, treaſurer, and council of Old Aberdeen, taking things to their conſideration, and to remove ſaid water employed workmen, who have filled up the ditches with ſand; and brought away caſaway in place of the former; as alſo, they have got ſtones out of the church-yard of St. Machar, and cauſed build therewith a dyke on each ſide of this caſaway, and made a ditch through the land, for conveying the water to the Tyle-Burn, which is built on every ſide with ſtones taken from ſaid yard. The magiſtrates and treaſurer of the town are much commended for this good work; which is partly done by a contribution of the inhabitants of the ſaid town.

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The next is called Beaverly's Wynd, from a man of that name, who was heritor of that tenement now possessed by George Aberdeen, and was taken off to be a common wynd for the town's use, lying betwixt the tenement of George Aberdeen and that of Andrew Dyce, formerly Robert Low's; and the said Beverley got no payment for the liberty of said wynd from the magistrates and town-council.

The third is Wagril's wynd, so called from a man of that name, who was heritor of that lodging now possessed by Mrs. Clarke, which he sold to the township of Old Aberdeen, and got for it fourscore merks. The said wynd lies betwixt Mrs. Clarke's and Bailie Baxter's tenements.

Anno 1680, November 16, Mr. James Scougal and Mr. John Buchan, bailies, John Rofs, janitor in the King's college, presented a supplication to the said bailies, declaring, That the town should buy the South dyke of Wagril's wynd; and seeing he hath built the same himself, by reason of the town's delay, desired, that masons might fight the same, and consider what expences it hath cost him in building said dyke, which was done accordingly; and then the treasurer was ordered by the said bailies to pay the said John Rofs twenty rix-dollars at Martinmas 1681, for building the afore-said dyke. The said wynd was casawayed anno 1666.

The fourth was called Bartlet's Wynd, from a man of that name who lived there. It lies betwixt James Panton's tenement to the North, which formerly belonged to the heirs of the deceased Mr. William Smith, and a lodging pertaining to the college on the South side, being properly the principal of the college of his house by vertue of his office. This wynd was casawayed anno 1666.

Of the WYNDs on the West side of the town.

When Sir Alexander Gordon of Cluny built his yard-dyke in the chañry, he allowed the inhabitants of Old Aberdeen as much ground as would be a wynd, for their passing and repassing, called Cluny's or the Lock-Wynd.

Anno 1636, this wynd was caſawayed as far as George Cumming's yard, by a contribution from the inhabitants.

The ſecond is Douglas's Wynd, ſo called from one of that name who lived there, and had a tenement beſide it. It lies betwixt Robert Milne book-binder his tenement to the North, and the deceaſt John Oray's tenement to the South.

Anno 1668, it was ſtatuted and ordained by the magiſtrates of ſaid town, that the treaſurer ſhould cauſe caſaway the ſaid wynd. Alſo this year the ſaid magiſtrates ordered the treaſurer to cauſe build the caſaway at the back of William Lind's barn, which lately pertained to the deceaſt James Fiddes, and now to John Bothwell, farmer, in the chañry.

The third is the College-Wynd, lying betwixt Dr. Urquhart's garden dyke to the South, and James Panton's tenement, which lately pertained to the heirs of the deceaſt George Laing, ſome time oeconomist in the King's college, to the North. The caſaway of this Wynd was lately repaired.

Alexander Fraſer of Powis, ſubprincipal of ſaid college, bought from William Anderſon an houſe on the Weſt ſide of the ſtreet, almoſt oppoſite to the college gate, with a little yard, and ſome back ſhort riggs at the end thereof; all the reſt of the ground was deep ſinking mire, and paid him for them 750l. Scots; he hath drained ſaid mire, and built two great and three leſſer houſes towards the ſtreet, and twelve houſes on the ſide of Powis' Burn,
and

and made out four yards planted with trees round about their dykes. He also bought the stones and timber of Kincairden's lodging (as is said) from the deceased James Sandilands of Crabston, and therewith built a large kiln and malt-barn in one of the said yards, at the West end of which is the sand-hill, which he hath enclosed by an earth dyke, and planted with firs and other trees, October 30, 1718. The biggest house aforesaid was accidentally burnt November, 1696, by the carelessness of Mr. George Skene regent in said college his servants; which the said Powis rebuilt and repaired. The said houses and yards pay him yearly upwards of 500 merks.

This is the only best improved ground about the town. Peter Aberdeen built an house upon the East side of the street near the cross, anno 1719. This tenement formerly pertained to Mr. Alexander Spalding, advocate, and sometime commissary-clerk-depute of Old Aberdeen, where he had a good lodging, well slated, with a timber-fore-stair, but afterwards became ruinous, and at last was demolished to build the yard-dyke, and to help to build the kiln and malt-barn in the end of said yard; which were built by the deceased James Gordon of Seaton.

Anno 1722, Bailie Troup's house on the West side of the street (which had formerly a plateform roof, and did not keep out rain) he hath built up the gavel-walls thereof, given it a new roof above the plateform, and covered it with tyles, which is a convenient dwelling-house. Alexander Molyson, merchant, in the North end of said city, purchased the North-East tower of the chaplain's chambers in the chantry, which he repaired, and the half of the bishop's dovecote-green. He hath built a new yard dyke, at the back of the North side of the said chaplain's chambers, anno 1714; and planted on the other side of said dyke 29 trees, anno 1719, which were given out of the minister's yard of St. Machar; as also

the bishop's dovecote green round about with young trees, November 1722.

There are several houses built and repaired, besides these, within said town.

The inhabitants of Old Aberdeen are tied to no mill, except two persons that bound themselves to Gordon's mill, and some few roads that were formerly thereto tied.

List of the MASTERS of the MUSICK-SCHOOL.

In bishop Elphinston's time, the master of said school in Old Aberdeen was John Malifons; and none were esteemed good musicians who were not bred with him who was master of said school. After the Reformation there was no certain account, for the cause above-written. Those who are made masters thereof undergoe a trial by competition (*et detur digniori*), and that before expert musicians; as judges in reading, writing, arithmetick, vocal and instrumental musick; in presence of the principal and masters of the college, the ministers, and magistrates of the town, as also the conveener and deacons of trades. And he who is found best qualified, is admitted to be master of said school, reader, and precentor in the cathedral church, and sessions clerk.

Mr. Gilbert Ross was first master, anno 1636. Alexander Wilguise, 1643. William Hay, 1658, whose son Mr. William Hay succeeded him, who afterwards was minister at Perth, whence he was translated to be bishop of Murray; after him, his brother Mr. George Hay, anno —; after him, William Logan; after him, Alexander Cooper; after him, Mr. William Cumming, anno 1691, who dimitted, having got a call to Elgin, the place of his nativity, as is recorded in the kirk-session-register of discipline,

anno 1696, July 2, by his own answer to Mr. Thomas Ramfay, then moderator of the kirk-session.

Here follows an exact and faithful account of the admission and entry of Mr. William Chrystie, anno 1724 (said year present master), the aforesaid Mr. William Cumming's immediate successor, viz.

Anno 1696, July 2, Mr. Thomas Ramfay aforesaid, one of the ministers of the gospel at Aberdeen (this church then vacant) being moderator of a meeting of the gentlemen and heritors, masters of the college, &c. viz. James Gordon of Seaton, Mr. John Gordon, younger, of ditto, heritors; Dr. George Middleton, principal; Mr. George Frazer, subprincipal; Mr. Alexander Frazer, regent; and Mr. Alexander Gordon, humanist, in the King's college; George Cruikshank, master of kirk-work; James Thomson, Duncan Cassie, and William Smith, elders of the Kirk-session of Old Aberdeen. The aforesaid Mr. William Cumming being interrogated by the said moderator in presence of the aforesaid gentlemen of the meeting (the same having been constituted, as is usual, by prayer), whether he was to remove from his place? answered, that he had received a call from Elgin, his native place, and had embraced the same, and therefore thought fit to give them a timely advertisement, that they might provide for one against Lammas next, at which time he was to remove. The said day it was thought fit to consider of a proper person who should succeed as master of said school, &c. And the question being put, there were four named, viz. Mr. William Smith, Mr. William Chrystie, Mr. John Sinclair, and Thomas Gordon. But to shun and evite division or dissention, the meeting unanimously agreed that there should be a publick competition, and the best qualified should carry it. Mean while it was voted, whether Mr. William Smith should be lifted with the competitors, or admitted

to

to a competition, in regard he kept a publick inn, and was known to be disaffected to the government; it was left undetermined till next meeting, which the said mediator was to call when convenient.

July 14, 1696, after prayer, Sed^r. Mr. Thomas Ramsay, moderator; Mr. Inglis, Mr. Sterling, Mr. Spalding, Mr. — Black, minister, George Cruikshank, master of kirk-work and bridge-works of Aberdeen, James Bailie, master of mortifications there; Mr. John Gordon, younger, of Seaton, Mr. John Robertson, heritors; Dr. George Middleton, principal, Mr. George Frazer, sub-principal; Mr. Alexander Frazer, regent; James Thomson, Duncan Cassie, and Alexander Taylor, elders of the Kirk-session; together with the conveener and deacons of the trades; Alexander Cooper, Thomas Scott, and William Cumming afore said, being appointed examiners. Mr. William Smith being called, it was answered he was advertised, but refused to come, because he had not had timous advertisement. Upon which it was agreed to, that there should be no more mention of him, since he was called and refused to compear. Thomas Gordon being called compeared, and having undergone a trial in his skill of musick both vocal and instrumental, wherewith the meeting not being well satisfied, it was objected, why should a man not qualified be imposed upon them, since they could be better served besides, viz. by Mr. William Smith? It was answered, that he had extended himself, since he refused to compear when called; and they were to have no more to do with him in that affair. Overtured, since the town were not willing to accept of Mr. Gordon for the musick-school, and the presbytery would not allow of Mr. Smith to be clerk to the session; for peace and unity sake, and that the place might not be disappointed, there might be a third brought in that might give satisfaction to both parties. It being asked, if
they

they knew any who might give that satisfaction? It was answered, Mr. William Chrystie, who was one of those listed, and against whom there was nothing to object; but he not being upon the place, it was enquired how soon he might be here? It was answered, once this week. Then it was unanimously agreed to delay the affair till he should come, and be tried and examined in his skill of musick, &c. and if found as well qualified as Mr. Gordon, and nothing to object as to his life and conversation, &c. he should be accepted; but this always without prejudice to the said Thomas Gordon; if he can make his friends in the town.

August 3, 1696, after prayer, Sed^r. Mr. Thomas Ramfay, moderator; Mr. James Osborn, Mr. David Brown, ministers; George Cruikshank, master of the kirk and bridge-works of Aberdeen; Mr. Bailie, master of mortifications there; Mr. John Gordon, younger, of Seaton, William Gordon of Old Govil, heritors; Dr. George Middleton, principal; Mr. George Frazer, subprincipal; Mr. Alexander Frazer, regent; Mr. Alexander Gordon, humanist; Patrick Sandilands of Gordon's mill, James Thomson, Alexander Taylor, and William Smith, elders.

The meeting finds that there were several desirous of a competition for the school, especially Mr. John Sinclair being upon the place, which was agreed to.

Mr. William Chrystie being called, compeared; and it being asked, if there were any present that had any thing to object against him, why he might not be allowed to compete? answer, no objection.

Thomas Gordon being called, compeared; it was objected that he had passed trial already; yet it was thought fit to allow him the benefit of a competition.

Mr. John Sinclair being called, compeared; but it was objected that he had some time past raised such disorder and confusion in
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the church, and shewn himself opposit to the government; that however qualified, they would not accept of him for their precentor or session-clerk.

William Carneggy being called, compeared, and was permitted to act his part with the rest.

The competitors being desired to remove, Mr. Gilbert Leslie, Alexander Cooper, William Cumming, and Thomas Scott were appointed examiners. It was thought fit to take trial of them one by one.

Mr. William Chrystie was called, and compearing, was examined in the theory and practice of musick, &c.

Thomas Gordon being called, compeared, and was likewise tried on the theory and practice of musick, &c.

William Carneggy being called, compeared, and was likewise examined of his skill in musick, &c.

The competitors being removed, and the judgement of the examiners required; they answered in one voice, that they were well satisfied with them all, save William Carneggy, who was not so good for the instrimental part of musick. It was voted therefore which of them should be chosen; and Mr. William Chrystie carried the vote by 13 more than any of the rest; which done, they were all called in, and Mr. William Chrystie was admitted, and received to be master of the musick-school in Old Aberdeen, precentor and session-clerk; yet, upon condition that he should bring with him a sufficient testimony of his behaviour and conversation; of his being well-affected to the government both of church and state from the prebendary, at which he presently resided; which failing, Thomas Gordon is to be preferred, upon the same condition, of a sufficient testimony, &c.

August 13, 1696, after prayer, Sed^r. Mr. James English, moderator, *pro tempore*; bailie Thomson; Duncan Cassie, Alexander Taylor

Taylor and William Smith, elders. The which day, the moderator signified to the session that Mr. William Christie had produced before the presbytery, Wednesday last by past, being 26th August current, the said presbytery sitting in the session-house within the new church, his certificates from the presbytery of Perth; which having read and considered, the reverend presbytery of Aberdeen approved of; and further appointed Mr. Arthur Shepherd, their clerk, to give the said Mr. Christie an extract thereanent, which being read this day according to the moderator and sessions, he was by them admitted, and received to be precentor and session-clerk in the church of Old Machar; and to the emoluments of the said charge they gave him a right and title, as Alexander Cooper and Mr. William Cumming his two immediate predecessors had, and appointed his salary, which being forty pounds Scots yearly, should continue to him from Lammas 1696, to be paid by the church treasurer yearly, termly, or quarterly, as the said Mr. William Christie pleases to demand; whom the moderator exhorted to be faithful and diligent in all the duties of his place and charge; and who promised to be so; and accordingly gave his oath *de fidei*. The moderator recommended to the clerk to get the registers from Duncan Cassie, and extract a list of the delinquents, seeing there hath been no session since, the members of the session cannot condescend upon the order of them at present.

September 13, 1696, Report of the bishops being got up, &c. Vid. respective Sederunts in the session-book anent said affair.

The master has for his salary from the kirk-session, as being reader, precentor, and session-clerk 53l.6s.1d. Scots yearly, besides the ordinary casualties, as baptisms, burials, and marriages; being 6d. for each baptism and burial in the church-yard; in the church or isles half a crown for persons within the town or parish of Old Machar; but those without the town or parish pay one-third more,

for keeping the register. For contracts of marriages the clerk gets half a crown, except tradesmen, who pay only two shillings sterling, and four-pence for their baptisms and burials; because they pay him yearly 24l. Scots as another part of his salary, for the benefit of the mortcloths, granted them by him; which privilege they had by bishop ———, in favours of the master of the musick-school, provided they pay him yearly 20l. Scots; which was augmented 4l. to Alexander Cooper and his successors in office. Besides he hath 40l. Scots paid him yearly by the town's treasurer, in name and behalf of the magistrates thereof, by and attour the benefit of the school, &c.

A List of some TOWN'S CLERKS.

[No full account for the cause aforesaid.]

Imprimis. Mr. Arthur Watt, notar-publick. Item, William Watt, ditto. Item, Thomas Lefflie, ditto. Item, Alexander Sandison, ditto. Item, Mr. John Johnston, ditto. Item, George Adam, ditto. Item, Adam Thomson, in this year 1724.

The clerk hath from this town yearly 30l. Scots; from the trades 20l.; also, of sentence money for every decret fix-pence, and as much for extracting thereof, and if it happen to be large one shilling sterling; with other casualities.

Of the HAND-BELL.

Anno 1692, the magistrates of Old Aberdeen made great enquiry to whom the present hand-bell belonged, and at last were informed

informed that it belonged to the town, being gifted by the deceased John Rofs, sometime janitor in the King's college. Therefore, the magistrates decerned, that they and their successors in office have the only right to admit any man they think fit to be bell-man in said city, and to employ the casualties thereto belonging.

But the said magistrates, anno 1702, March 1, judicially, in the presence of Thomas Thomson of Cocklaw, minister in Old Aberdeen, and the reverend members of said kirk-session, renounce all title and right to said hand-bell, in favour of said session.

An exact and faithful account of what they did in said affair, from the records of said session.

Anno 1702, March 1, in presence of the said Thomas Thomson, minister; James Thomson, Duncan Caffie, William Smith, and John Thorn, elders; Mr. Alexander Frazer, William Baxter, James Knight, and Mr. John Robertson present magistrates. The said day the whole Sederunt of the session judicially and unanimously renounced for themselves, and in the name and behalf of their successors in office, viz. bailies in Old Aberdeen, all or any right whatsoever they or their successors (as is said) have, or can have, or pretend to, as to said bell; which right or title the said bailies renounced in favours of the church; and that not only in their own name and successors in office, but likewise in name of the town and whole community of Old Aberdeen; and recommended to the minister kirk-session to dispose thereof as they think fit, for the benefit of the church. And the said magistrates judicially declare, that at their next council they should make an act thereanent; that the hand bell which goeth before interments doth entirely belong to the church; and that they shall rescind all former acts as to said bell, in prejudice of the church of Old Machar; seeing it is abundantly known, that the church and none

else, have been always in use thereof; and that since any of the age do remember. Vid. respective of kirk-session.

Of the DRUMMER, and his dues.

He is ordered by the magistrates to go through the town, beating his drum, every morning at five o'clock, and at eight hours at night; as also to obey their commands on other occasions; for which he hath yearly a salary, viz. a crown out the conveyer's box, and half a crown out of every trade's box, with four shillings Scots yearly from house-holders, being a penny quarterly, or yearly, as he thinks most convenient.

An account of the THREE BELLS, with their inscriptions, which belonged to said Cathedral since the Reformation.

1. Maxima Campana.

"Michael Burgerhuyes me fecit, ad sacros cœtos convocandos. Soli Deo gloria.

"In summâ arce ædis divi Macharij locandam curavit dominus Patricius Forbescius episcopus Aberdonensis, et senatus ecclesiasticus veteris Aberdoniæ, cal. Jan. 1622."

1. The largest bell.

"Michael Burgerhuyes made this for conveying the clergy. To God alone be glory.

"Mr. Patrick Forbes bishop of Aberdeen, and the ecclesiastical senate of Old Aberdeen, took care to place this bell in the highest steeple of St. Machar's church, Jan. 1622."

This is on the bell which is riven, and not used.

2. Campana

2. Campana cathedr. ecclesiastic. Aberdonen.

“Florente domino Georgio M. D. episcopo, anno 1688, Georgius Kilgour fecit. Sabata pango, solemnia clango, funera plango.”

3. “Michael Burgerhuyes fecit me, 1618.

“Soli Deo gloria.”

This is the little bell which hangs beside the clock in the South lesser steeple.

The first and second are they which hung in the great steeple, and were preserved; the second is that which hangs now beside the little bell.

Since the Reformation there is an excellent clock placed in the South lesser steeple; and a sundial (as is said) above the porch of said church.

Adam Balluden, bishop of Dunblane, was translated to be bishop of Aberdeen about anno 1635, where he continued till he was thrust out by the covenanters. He retired to England, where he died in a short time. His house in Old Aberdeen for magnificence in all things like a palace, was plundered by a regiment of covenanters.

Dr. Guild, one of the ministers of Aberdeen, went away to Holland, when the rest of the doctors fled on account of the covenant, but came home and joined with the covenanters, taking it with limitations; but being chosen principal of the King's college, anno 1640, August 18, *ad vitam aut culpam*, he took the covenant without limitation.

Anno

2. The bell of the cathedral church of Aberdeen.

“George Kilgour made it in the time of George M. D. bishop, anno 1688. This is toll'd for Sabbaths, solemn meetings, and funerals.”

3. “Michael Burgerhuyes made this bell, 1618.

“To God alone be glory.”

Anno 1642, in the beginning of January, he violently broke down the infight and plenishing within the bishop's house, which was left undestroyed by the said regiment of covenanters; such as beds, boards, &c. and caused transport them down to the college, to plenish the chambers thereof.

He caused cut down the great joists, tirr the toofalls of the whole office-houses; viz. bake-house, brew-house, biars, and stables, and toofall chambers; and carry roof and slates away to build a song-school, and slate it in Berold Innes's clofs; but was not made use of.

He also took away the pavement-stones of the bishop's-hall, and paved the common-school of the college therewith; having got a gift of the bishop's manse, yard, and ward from a committee of the kirk and estates.

Afterwards the said bishop's lodgings were demolished by the English usurpers, with the North side of his garden-dyke, to build the fortification of the castle-hill at Aberdeen. When they were taking up the stones out of the bishop's well, some of them were killed by the ground closing upon them; and there they remain in the bottom of the said well to this day, as old men relate for a certainty. The remainder was taken to help to build the new work of the college.

About January 10, 1642, the bailies of Old Aberdeen, by the tolerance of the said Dr. Guild, caused masons to throw down the bishop's dove-cote, to build a song-school, where now it stands, as Spalding in his annals relates.

Moreover, upon August 5, 1640, the earl of Seaforth, the master of Forbes, Mr. John Adamson, principal of the college of Edinburgh, and the said Dr. Guild with diverse others, held a committee in the king's college; and thereafter came to St. Machar's church, and caused our blessed Lord Jesus's * arms to be

*These were probably the instrument of the passion on shields.

hewn out of the front of pulpit; and to take down the portrait of the blessed Virgin Mary, and her dear son Jesus in her arms; which had stood (since the upputing thereof in curious work under the ceiling at the West end of the pend, whereon the great steeple stood) unmoved till then; and gave orders to colonel . . . master of Forbes, to see this done, which he with all diligence obeyed. And besides, where there were any crucifixes set in honest mens' glass windows, he caused pull them out; and a mason struck out Christ's arms in hewn work, on each end of bishop Dunbar's tomb; and likewise chesel'd out the name of Jesus (drawn cypher-ways, I. H. S. that is, Jesus Hominum Salvator) of the timber-work on foreside of St. Machar's isle, now called bishop Scougal's, opposite to the consistory-door; and the crucifix on the old town cross was turned down.

Anno 1642, December 16, the said Dr. Guild and Mr. William Strachan, minister of said church, entered William Charles, wright in Old Aberdeen, to take down the high altar, standing upon the East wall of bishop Gavin Dunbar's isle, almost as high as the ceiling thereof, curiously wrought of fine wainscot; for within Scotland there was not a better piece of work. The workman would not lay his hand to it to take it down, till the said Mr. William Strachan put his first; and then the work was begun. And in down-taking one of the three timber-crowns, which they thought to have preserved unbroken; it fell suddenly upon the king's great ladder, and broke it in three pieces, and itself in great pieces, and some of the pavement with the weight thereof; but the people were all safe.

The said Mr. Strachan devised a loft for the ease of the people at sermon, in the West end of the church; which took away the statelier shew and sight of the body of the whole church; and with the back of the altar and ornaments thereof he decorated the
fore

fore and back sides of said loft. This was done without the consent of the old town session or the brethren. This altar was an excellent piece of workmanship, having three crowns uppermost, and other kinds of crowns beneath, well carved, with golden knaps, now on said loft.

There were 2000 merks left by Dr. Scroggy in the kirk-box, wherewith the said Mr. William Strachan flated the kirk, toofalls, steeple, and bishop Gavin Dunbar's isle, and cast lime into that part where the back of said altar stood, that it might not be known, June, 1645. The said Mr. Strachan at his own hand, without right or title, caused tradesmen pull down the stately roof of the bishop's hall, to be timber for the North isle of said church; and Dr. Guild as aforesaid took away the slates thereof for the use of the college.

An account of the RENT which pertained to the said Church.

This church had of old a great yearly rent belonging to it, and the clergy that ministered in it; the most of which now pertains to the King's college, and the ministers of said church; and of the rest there is no certain account. Bishop Scougal mortified 2000 merks Scots money to it, which was taken to rebuild the east end thereof, as said is. It has now the annuities which the said Walter Robertson disposed back to said church, which are contained in the rights thereof, the most of which are become in defuetude, or out of use.

But Mr. Mitchel, present minister, anno 1725, summoned many persons in New and Old Aberdeen and elsewhere before the lords of session anent the said annuities, &c. It hath likewise

wife its desk-mail; which will be about 50*l.* Scots; as also the burial-lairs in the church, yard, and isles; all which are little enough to support the fabrick of the cathedral. It hath now only two beadles, who get each of them twenty merks Scots from the session yearly; and gratuities from persons to whom the desks pertain.

There was a beadle of this church called George Kilgour, a notar-publick, who solicited bishop Scougal to make him sacrist of St. Machar's church. The bishop, being a well-natured and peaceable man, consented to it; but it seems he had no thought that the sacristies of said church were always church-men and in holy orders; and granted him a charter for being sacrist, signed by himself, the dean and chapter, which I have seen.

The holy water stone, which stood in the chancel, &c. is yet lying in bishop Scougal's isle.

There is the effigies of some great man of the chapter cut out of stone *ad longum*, lying in the North wall of the session-house; but it is not well known what he has been, the inscription being obliterated; yet the greatest part thereof follows, viz.

“ Hic jacet honorabilis vir,
Mr. Walterus
qui donavit xx*℥*. annuatim capellanis in choro pro missa in sexta feria celebranda; qui obiit die Julii animæ propitietur Deus. Amen.”

“ Here lies an honourable man, Mr. Walter who gifted to the chaplains in the quire 20*l.* yearly, for celebrating mass every week-day; who died day of July God be merciful to his soul. Amen.”

There is no inscription or date upon St. Machar's church except that on the West side of the buttrage, which stands on the

South end of bishop Dunbar's isle; viz. Thomas the son of Thomas French, master-mason, who built the bridge of Dee, and this isle, is interred at the foot hereof, who died anno 1530.

Dr. John Keith, minister, caused build, and repaired the church-yard dykes some time before the Revolution. It hath fourth entries or gates. James Marnock, mason, and George Cristal, wright, pointed the two lesser steeples anno 1704; which had not till then been pointed since the reformation, as old men declare.

Mr. Mitchell, now minister, caused repair the South toofall of said church, anno 1720; which cost upwards of 1200 merks. Anno 1722, he caused plaister and wash with shell-lime the walls of said church, which was of expences 325l. Scots money.

The breadth of the church as it now stands, anno 1725, is $64\frac{1}{2}$ feet 2 inches; and the length 135 feet 3 inches within walls.

The churchmen's lands in the chañry paid no cefs till anno 1690; nor from 1256, when bishop Ramsay freed them thereof, as is said. But the masters of the college being titulars of St. Machar's parish tithes, allocated tithes upon the church lands of said chañry that were not in yards, anno 1722; and caused the heritors or tenants pay for five years backwards, viz. from anno 1716, when Mr. Mitchell got his direction of augmentation. They pay now as follows; viz. Imprimis, Lewis Gordon of Kinmundy for Methlick's gleib or tail lying at the end of his yard, two pecks of bear. Item, the tail of the parson of Oyne, two ditto. Item, the tail of the parson of Rain, Kinkell's, and the chaplain of Westhall's gleib, thirteen pecks of bear. Item, the parson of Kincairden's and Cruden's gleib, one boll and 15 pecks ditto. Item, Clatt's and Mortlack's gleibs, ten merks Scots. Item, the bishop's dovecote-green, now Alexander Molyson's, fix merks Scots.

These tithes, which were free for the space of 466 years, are payable now to Mr. William Smith, second minister.

Upon

Upon the West side of the kettle-hills of old there were terraces, for the ease and conveniency of the canon-regulars that lived in the chañry, which are now tilled and made corn-ground. The first that laboured or tilled them was Alexander Gordon of Kinguidy, a Roman catholick, who lived some time in the chañry.

The channel for conveying the water in the chañry which comes from a fountain at the end of the fields belonging to Col-town, was done by the canons aforesaid, upwards of 200 years ago.

The said hill of Tilliedron was artificially built by king Robert Bruce's foldiers, as men acquainted with antiquities relate; which seems to have been designed for a watch-guard, for the use of his army when they lay here; and thereafter the clergy who lived in the clergy who lived in the chañry kept a watch or guard on it in troublesome times, that they might not be surprized suddenly by their enemies.

Anno 1725, in said church-yard were many trees planted; first, a row on each side of the casaway from the high stile to the church port. Secondly, there is a walk at the back of the church to the chaplain's stile, and planted on every side with trees. Thirdly, at the South and West dykes of said yard are trees planted where they were wanting, and had not been planted; which in a few years will be a decorement to the church-yard.

In that piece of ground at the end of the dean's gleib gifted by the bishop of Aberdeen to dean Robert Erskine, who fued it out to the predeceffors of John Nicol, there are four dwelling-houses anno 1725, which pay a merk of annuity, and 5s. 4d. of fue.

An account of the Bishop of Aberdeen's chapter, since the Reformation.

The principal of the college is dean. The parson of Auchterless chanter. The parson of Raine archdeacon. The parson of Birse chancellor. The parson of Daviot treasurer. The parson of Kincairden-Oneile. The rector of Monumusk. The parson of Belhelvie. The parson of Banchory-Devenick. The parson of Logie-Buchan. The parson of Clatt. The parson of Methlick. The parson of Invernochtié. The parson of Couldstane. The parson of Oyne. The parson of Cruden. The parson of Tillienestle. The parson of Forbes. The parson of Philorth. The parson of Lonmay. The prebendary of Old Deer. The prebendary of Ellon.

Account of the Dues for BURIAL-LAIRS within the Church, Yard, and Isles; and ringing the Bells at Interments.

First, Persons within the town of Old Aberdeen and parish of St. Machar, who employ the bells to be rung at interments, pay ten merks; strangers 10l. Scots; but if these strangers reside in the town or parish, only ten merks. Second. Persons within the town or parish above 15 years, for their burials within the church or isles twenty merks; for those under that age ten merks; and those carried by one man five merks Scots. Third. Strangers not residing within the town or parish for their burials within the church or isles above 15 years 20l.; those under that age 10l.; those carried by one man 5l. Scots. But if the strangers reside in the

the town or parish, they pay as the parishioners, and the same dues the session-clerk and the beadles. Fourth. Burials of parishioners above 15 years in the church-yard two merks; and those carried by one man half a merk; and all strangers a third part more conform. All pensioners are buried gratis.

DUES TO THE SESSION-CLERK AND BEADLES.

First. For baptisms 10s. 6d. to the clerk, and the rest to the beadles. The incorporate tradesmen 8d.; half to the clerk, and the rest to the beadles. Second. To the clerk for proclamation of banns of matrimony, half a crown from a burgher; 2s. sterling from a tradesman; and half a merk to the beadles. Third. Burials within the church and isles; to the clerk, for parishioners, half a crown; for strangers 40s. Scots; to the beadles for parishioners 40s. Scots; and for strangers four merks Scots. And within the church-yard, to the clerk, for parishioners, 14s.; and for strangers 18s. 8d. Scots; and as much to the beadles. Each party to be contracted consigns a crown, and must find caution. The stocked money belonging to the church for the poor's use, anno 1716, was only four hundred pounds Scots.

OF ECCLESIASTICAL COURTS.

Every bishop hath under him an official or commissary, who is judge of the spiritual-court within his diocese. Unto this court are referred matters of testaments, bastardy, divorce, tithes, perjury, &c. and many civil cases. It sits in the months of November, December, January, February, June, and July.

COMMISSARIES OF SCOTLAND.

Sir David Falconer of Glen-	} Commiss. of Eding.	George Paterfon, commissary of
Farquhar.		Ross.
Henry Fowlis.		James Strachan, commissary of
James Akenheid.		Brechin.
John Wishart.		James Innes, official of Caith-
John Lindsay, official of St. An-		ness.
drew's.		— Monro, commissary of —
Sir William Fleming, official of		William Scrowgy, commissary of
Glasgow.		Argyle.
John Stewart, commissary of		The officials of Dumblane,
Dunkeld.		Galloway,
John Scougal, commissary of		Orkney,
Aberdeen.		The Isles.
Alexander M ^c Kenzie, official		
of Murrury.		

Having treated of the succession of the bishops in their several sees, let us take a short view of the several courts subordinate to them, wherein is exercised ecclesiastical discipline. The first and lowest which is in every see called the session. It consists of the chief and most grave men of the parish, who are termed elders and deacons.

In this small court, whereof the minister is president, all fornicators, adulterers, blasphemers, swearers, profaners of the Lord's day, &c. are convened, and put to make publick confession of their sins, and profession of their repentance, according to the degree or heinousness of them. For fornication they make publick confession in the church three several Lord's days, in the last of which they receive absolution.

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For an adultery they make their profession of repentance for half an year every Lord's day; and for six Lord's days they stand in sackloth at the church, half an hour before morning prayers; and then, in the end, they receive absolution. And for other faults they do penance according to their several degrees.

The deacon's office is to collect the money for the use of the poor; to delate delinquents, &c.; and that of the elder is to be careful of the fabrick of the church; to assist in the censuring of scandalous persons; and to wait on the minister at the celebration of the Lord's supper, &c. This court sitteth once a week.

The number of the parishes in Scotland is uncertain, but may be reckoned to be about a thousand.

The next court is called the Presbytery, consisting of 12 or 20 ministers, more or less; that sits once in two or three weeks. The moderator or president thereof is chosen by the bishop. In this court are discussed appeals from session, and other difficult cases. Here are convened all those who refuse to submit to church discipline, and all such as apostatize to popery or quakerism, who, if they remain obstinate, are prosecuted with the censures of the church. Here also all such as enter into holy orders are examined, and an account taken of their learning and other qualifications, in a course of many trials; as making homilies, sermons, and common places, which hold two or three months; and then they are returned to the bishop well qualified, who upon that proceeds to ordain them.

PRESBYTERIES OF

Dunce,	Melrofs,	Linlithgow,	Striviling,
Chirnside,	Perth,	Dunbar,	Dumblane,
Kelfoe,	Dunkeld,	Haddington,	Dunfreis,
Erfilton,	Auchterardon,	Dalkeith,	Penpont,
Jedburgh,	Peeblis,	Edinburgh,	Lochmabane,
			Mid-

Middlebie,	Kinloch,	Brechin,	Elgin,
Wigton,	Innerary,	Mernis,	Forres,
Kirkubright,	Kilmoir,	Aberdeen,	Aberlower,
Stranaver,	Skye,	Kincarden,	Chanry,
Air,	St. Andrew's,	Alford,	Tayne,
Irwing,	Kirkaldy,	Gareoch,	Dingwell,
Pafley,	Cowper,	Deir,	Dornoch,
Dumbarton,	Dumfermling	Turreff,	Week,
Glasgow,	Meegle,	Fordyce,	Thirfo,
Hamilton,	Dundee,	Ellon,	Kirkwall,
Lanerk,	Arbroath,	Strathbogy,	Scalloway,
Biggar,	Forfar,	Abernethy,	Colmkill.
Dunnune,			

A third court, whereof the bishop is president, is the provincial assembly or synod. In this court are discussed all appeals from presbyteries, and all other difficult cases.

From hence are issued warrants for visiting churches. Here also the lives of scandalous ministers are tried, who, if found guilty of crimes laid to their charge, are either deposed, suspended, or excommunicated. The sentence of excommunication cannot be pronounced against an obstinate person but after a long process of near a year's continuance; and many citations and much pains to bring the scandalous person against whom only it is denounced to a due sense of his sins, and a willingness to submit to the censures of the church; and then it must be ratified and approved by the bishop. The provincial synod meets twice in the year, in April and October.

The highest ecclesiastical court is the general assembly; which as its constitution and authority were settled in king James's minority, was made of two ministers, commissioners from every presbytery,

presbytery, and one lay-elder; a commissioner from every royal borough, one from the University and one from the king. These had the supreme authority about all church matters, and how much trouble they bred king James is not hard to be discovered. A shadow of this still remains; for the supreme ecclesiastical court is declared to be a national synod made up of bishops and deans, and two members from every presbytery, one of whom is of the bishop's nomination; and a commissioner from every University. But nothing is to be proposed but by the king or his commissioner; nor can any thing that they do be of any force till it be ratified by the king. But as the calling of this synod is wholly in the crown, so there is little need of it; since the king's supremacy is so large that he needs not their concurrence to add their authority to any thing that he shall think fit to do about church affairs.

The bishops of Scotland take their places thus; St. Andrew's, Glasgow, Edinburgh, Galloway; the rest according to the seniority of their consecrations.

Of the KING'S COLLEGE in OLD ABERDEEN.

King James IV. and William Elphinston bishop of Aberdeen, procured from pope Alexander VI. the privilege of an University in Aberdeen, anno 1494. It is endowed with as ample privileges as any University in Christendom; and particularly, the foundation relates to the privileges of Paris and Bononia, but hath no reference to Oxford or Cambridge, because of the wars between Scotland and England at that time. The privileges were afterwards confirmed by pope Julius II. Clement VII. Leo X. and Paul II.; and by the successors of king James IV. The bishop of Aberdeen is

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perpetual

perpetual of this University, and hath power to visit in his own person, and to reform abuses; and though he be not a doctor of divinity, yet the foundation gives him power of conferring that degree. The office of vice-chancellor resides in the official or commissary of Aberdeen. The rector, who is chosen yearly, with the assistance of his four assessors, is to take notice of abuses, &c. in the University, and to make return thereof to the chancellor. If one of the masters happen to be rector then is his power devolved upon the vice-chancellor.

The college was founded by bishop William Elphinston anno 1500, and was called the King's college, because king James IV. took upon him and his successors the special protection of it. Persons endowed were a doctor in theology, who was principal; a doctor of the canon law; a doctor of the civil law; and a doctor of physick; a professor of humanity to teach grammar; a sub-principal to teach philosophy; a cantor; a sacrist; six students in divinity; three students in the law; 13 students in philosophy; an organist; five singing-boys, who were students in humanity.

BENEFACTORS.

William Elphinston, bishop, the founder, built most part of the fabrick, furnished the great steeple with ten bells, gave many costly ornaments, as hangings, books, &c.

King James IV. bestowed upon the college the rents of the hospital of St. Germans in Lothian, whereof the tithes of the parishes of Aberluthnot in Mernis, of Glenmuik, and Glengairden in Mar, are a part; as also the tithes of the parishes of Slains and Furvie in Buchan.

King

King James VI. bestowed upon it the rents of the Carmelite friars of Banff; the chaplainries of Westhall and Fallowrowll.

King Charles I. anno 1641 gave to it two parts of the revenues of the bishoprick of Aberdeen, so long as the see should remain vacant; upon which donation, eight burfars more were endowed, and it was called the Caroline University.

King Charles II, by the advice of the estates of parliament bestowed upon it, 1672, the stipends of all those churches which should happen to be vacant within the diocese of Aberdeen, Murray, Ross, and Caithness; and that for seven years following the date of the act.

Gavin Dunbar, bishop of Aberdeen, built the South quarter of the college, and the houses belonging to the prebendaries, and perfected whatsoever bishop Elphinston left unfinished.

William Stewart, bishop of Aberdeen, built the library, chapter, and vestry-houses; a school and chambers for the chaplains.

Duncan Streater, parson of Clatt, gave certain lands towards the maintainance of burfars.

Robert Maitland, dean of Aberdeen, procured the annexation of the deanry to the college anno 1579.

William Stewart, principal, procured the annexation of the rectory of Methlick to the college.

Sir Thomas Burnett of Leyis endowed three burfars.

James Watt, rector of Snaith in Yorkshire, gave certain lands towards the maintainance of a student in divinity.

Alexander Reid, doctor of physick, left a legacy to the college 200l. of English money. He also left his books to the library.

John Forbes, doctor and professor of divinity (of whom before), purchased two houses, and left the one for the accommodation of his successors, professors of divinity, and the other for the use of the cantor,

Those following left their books to the library: viz. George Clarke, a minister; Thomas Gairden; Sir Francis Gordon; Alexander Blackall, student in divinity, resident at London; Thomas Mercer, burghs of Aberdeen.

PRINCIPALS.

Hector Boyes (of whom before), born in Dundee, and bred up in letters in the University of Paris, was the first principal. Besides his History of the Scots, he wrote the Lives of the Bishops of Aberdeen, anno 1522.

William Hay, subprincipal, was his successor, anno 153

John Bisset continued six years, and resigned his place anno 1552 (because of his infirmity proceeding from long sickness) to

Alexander Anderson, sub-principal, who was also parson of Tyrie, and vicar of Kinkell, 1558. This man was a great scholar and a subtil disputant, but no great friend to the college. For the hatred he bare to the reformed religion he alienated some of the college revenues, destroyed many of its writings and evidences, whereby many lands and other rents belonging to St. Germain's are quite lost; sold the ornaments, books, and other furniture belonging to the college. Commendable he was in one thing; for when some of the reformers would have taken away the lead and bells, *repuist vim ferro*. He was afterwards turned out, and the place conferred upon

Alexander Arbuthnot (brother to the Baron of Arbuthnot), anno 1569, parson of Arbuthnot and Logie Buchan; a modest, learned, and pious divine.

Walter

Walter Stewart, subprincipal, was his successor, anno 1584; a very hopeful person, taken away in the 36th year of his age. Upon his death, anno 1593.

David Rait (of the house of Halgreen in the Mernis), subprincipal, was preferred to the place. He continued principal forty-two years. To him succeeded, anno 1634,

William Leslie, doctor in divinity, subprincipal, one of great learning. In his time, anno 1634, a storm of wind beat down the top of the great steeple, which afterwards was built more stately, consisting of four arches, supporting a crown, with a cross and a globe. Principal Leslie was for his loyalty thrust out by the covenanters, and in his room was elected

William Guild, doctor of divinity, minister of Aberdeen, and one of the chaplains to king Charles I. anno 1640, a learned and worthy person. He built the tradesmen's hospital in Aberdeen, left considerable legacies to the poor, and bequeathed his books to the library of St. Andrew's.

Anno 1649, the general assembly gave a commission to some ministers and lay-elders to reform the college, and expel the malignant persons. They thrust out Dr. William Guild, principal; Alexander Middleton, subprincipal; Patrick Gordon and George Middleton, professors of philosophy. The commissioners at that time did not unanimously agree whom to put in; therefore they ordered the latter to continue till his place were supplied by another. Shortly after, the masters restored the principal to his place in despite of all opposition.

But, anno 1651, general Monk sent five colonels to reform the college; colonels Fenwick, Molfey, Owen, Disborough, and Smith.

At this Reformation, both principal and subprincipal were again turned out.

Gilbert

Gilbert Rewle was instituted in the room of the latter; and the place of the former conferred upon, anno 1652, John Row, an independant minister in Edinburgh, a person well seen in the Latin and Greek languages, and not ill in the Hebrew. In his time, anno 1657, was laid the foundation of the new work in the North-East corner of the college, of six stories high, consisting of 24 chambers, with chimneys and conveniencies, a school, and a bulliard-house. The money that built it was given by the masters and other well-disposed persons, whose names are written in a register called "Album Amicorum Col. Regij Aberdon."

Mr. Row continued principal till anno 1661; at which time

William Rait, minister at Brechin, was preferred to the place. He staid only a year, and returned to Brechin.

Anno 1662, Alexander Middleton, minister in Old Aberdeen, and subprincipal (of whom before), succeeded him.

PROFESSORS of DIVINITY.

The professor of divinity was founded by the bishop, synod, and college of Aberdeen, anno 162 .

The first professor was anno 162 .

John Forbes, doctor of divinity, a most pious, peaceable, and learned person.

The rest are wanting.

An account of the UNIVERSITY and KING'S COLLEGE of
ABERDEEN.

The first erection of the University of Aberdeen by publick authority (though it be probable, that for many years before both divinity and philosophy, as also the civil and canon laws, were publickly taught and professed by the canons of the cathedral) was anno 1494, by pope Alexander VI.; who, at the instance and desire of king James IV. by his bull dated at Rome, 4 Id. February of the aforesaid year, erected in the city of Old Aberdeen. a *studium generale, et Universalitas studij generalis*; wherein theology, canon and civil laws, medicine, philosophy, and all other liberal arts and sciences should be publickly taught and professed; allowing both professors and students in ample form all the privileges, liberties, immunities, exemptions, &c. which were possessed by any University in any part of the world; and constituting bishop William Elphinston and his successors, bishops of Aberdeen, in all time coming chancellors of the said University, with full power to them by themselves or their deputies, to confer degrees in all faculties on such as should be found worthy of them; and also to be sole judges in all causes belonging thereto, whether civil and criminal, real, personal, or mixt; ecclesiastical or temporal; so that the doctors, professors, and students thereof should not be obliged to answer before any other judge or judicatory whatsoever. The which bull was accordingly published by the aforesaid bishop William Elphinston, with all the usual solemnities, in the cathedral church of Aberdeen, on the 25th of February, 1496, in presence of the greatest part of the canons, and several other considerable persons; and also, doctors and professors in all the aforementioned faculties were
established

established forthwith; and students began to flock thereto from all quarters; and many of all qualities gave up their names to be matriculated as members and supports of the said University.

At the same time the aforesaid Pope Alexander VI. at the desire also of king James IV. did gift and dote for maintainance of doctors and professors of the said University, all the rents and revenues of the hospital of St. Germans in Lothian; which consisted chiefly of the tithes of the parishes of Aberluthnot, Glenmuik, and Glengarden, together with many small annuities paid out of lands and houses, scattered up and down through Lothian, Fyffe, Angus, Mernis, and Aberdeenshire; all which the aforesaid bishop William Elphinston took legal possession of, by the resignation of Thomas Pyot, master of the said hospital, and the rest, who were curates at the aforesaid kirks; and did accordingly distribute them among the said professors, as he judged most fit and expedient.

Afterwards, anno 1498, king James IV. bestowed on them all the tithes, both great and small, of the parish of Slains in Buchan, together with some annuities payable out of some lands lying within the shire of Banff, and withal ratified and confirmed all the privileges granted formerly by the pope in as ample a form as could be; allowing them whatever the most christian French kings had conferred on the University of Paris, or whatever his royal progenitors king James I. and II. had bestowed on the Universities of St. Andrew's and Glasgow; appointing particularly the sheriff of Aberdeen or his depute, the provost of Aberdeen, and the bishop of Aberdeen, his bailiff of the city of Old Aberdeen, conservators of their privileges, with as full power and jurisdiction as had been granted to the conservators of the University of Paris, or any other University whatsoever.

Some few years after this, about anno 1500, bishop Elphinston built a very stately college, assigning to all the present professors

feffors and students different lodgings and accommodations; and founding also feveral other perfons therein, to the number at firft of 36; afterwards enlarging them to 42, to all whom he appointed their proper offices, manfions, and callings, with a defire, no doubt, that others whom God fhould blefs with the like means fhould after his example do the like for the glory of God, and encouragement and advancement of religion, learning, and virtue. Which college was appointed at firft to be called *Collegium S. Mariæ in Nativitate*; afterwards (the king taking it into his own peculiar protection) *The King's College of Aberdeen*; by which name it has always been designed to this day.

The perfons founded therein are thefe following: Firft, Four doctors in the four principal faculties.

The firft in theology, who is appointed to be called principal, to whom all the reft are fubject, and to whom is committed the whole government of the college; who is alfo bound by his office in his doctrinal habit, after the manner of the doctors of Paris, to teach theology, *omnibus diebus legibilibus*, and alfo to preach the word of God unto the people.

The fecond in the canon law, who is alfo bound in his doctoral habit, *ut fupra*, to teach either in his manfe or *in Ecclefia Beate Mariæ ad Nives*, commonly called the Snow Kirk, whereof he was alfo appointed rector, and obliged to maintain on his own charges a vicar in the faid church, *pro curâ animarum*.

The third, in the civil law, and the fourth in medicine; obliged alfo both of them to teach in their refpective faculties, after the manner above-written.

All thefe four ought to be doctors in the refpective faculties before ever they be admitted to thefe places, *fi commodè haberi poffint*, otherwife at leaft licentiated; who, within a year after their admission, fhall caufe themfelves to be promoted to the aforefaid degrees.

Next to these are appointed eight masters of arts. The first whereof is appointed to be subprincipal, being adjourned to the principal in the administration of all things belonging to the college, and in his absence having the sole administration and government; who also ought to be at least bachelor in theology, and to have his lessons (*ut supra*) within the college, both in theology and also in philosophy and arts; and to whom also is committed the whole discipline and correction of all the students in college, whether in philosophy or theology.

The second, grammarian; who is to have the charge of the grammar-school, and to teach grammar, rhetoric, and poetry.

The other six are appointed to be students in theology, until such time as they are capable of being promoted to the degree of doctorate in that faculty, which is only for the space of six years, after which they ought to receive the said degree, and to be removed, and their places filled with others.

There was afterwards a special Indultum granted by pope Paul III. anno 1538, to bishop Elphinston, and his successors bishops of Aberdeen, to continue the said students during pleasure, after the expiring of the aforesaid six years, in case either of want of others qualified to be put in their places, or any of them had not attained to such a measure of knowledge as fitted them for the aforesaid degree, but were desirous to study for some longer time in order thereto.

Of these six also are appointed to be chosen two or three, *cum opus fuerit*, at the pleasure of the principal and subprincipal, *ad regentiam in artibus*, who are bound to teach philosophy and arts to the students, and are therefore designed *regentes artium*.

All these six also are obliged by the foundation, after they have received the degree of bachelor (which ought to be within three years after admission, under pain of deprivation) to read theology publicly, *more Baccalaureorum Parisiensium*; as also in the eves
of

of all the greater festivals to preach in Latin *per vices* in the chapel of said college, before the principal and all the masters and students; as also after dinner and supper, to lecture upon that portion of scripture which is read by one of the students of philosophy before meat.

After these, are appointed three batchelors and students in the laws; two in the civil and one in the canon law, who ought to attend the public lessons in the laws, and also to read the institutions thereof, *more Baccalaureorum*; and one of them further to officiate as chaplain of St. Mary Magdalen's in St. Nicholas's church in Aberdeen, having the profits and emoluments of that chaplainry assigned him for his salary. And all these aforementioned persons, both doctors, masters, batchelors, students (the mediciner only excepted) are bound by the foundation to be priests; at least thrice a week to say mass, and perform holy things.

But beside all these, there are founded further, 13 burfars or students *in artibus*; the two first thereof (*si commodè haberi possint*) are to be of the surname of Elphinston; and the three next of the parishes of Aberluthnot, Glenmuik, Glengarden, and Slains, or out of every one of them and both; and the rest of them ought to be such as their parents are not able on their own proper charges to entertain at the University, and are therefore to be maintained gratis in the said college at the study of philosophy, until such time as they be promoted to the degree of master of arts; which is to be three and a half years; after which they are to be removed, and others to be put in their places. And, when any of the aforesaid burfars in theology are vacant, these according to their foundation are to be preferred. As also when any of the aforesaid prebends, viz. principal, canonist, civilist, mediciner, subprincipal, or grammarian shall happen to vacate, one of the college who shall be judged fittest is to be preferred; and if none within the col-

lege be found qualified, one out of the same (*extra idem*), but still of the University, who is otherwise *inhabilis*, so long as any of the aforesaid persons shall be found capable.

There are further founded eight prebendary priests (*octo sacerdotes prebendarij*), the first whereof is appointed to be called Cantor, whose office is to order the tune and musick thereof, and other things of that nature belonging to divine service; as also by himself to keep a musick school, and to teach and instruct in that science all such as are willing to learn.

The second is called Sacrist, to whom is committed the care of the church, the bells, and the hours of divine service, and all the ornaments and other necessary utensils belonging thereto.

The other six are called *Capellani Chori*, whose office is with the other two to perform the daily service morning and evening, and at other canonical hours. Every one of these, before he be admitted, is to give a specimen of his sufficient knowledge in grammar and musick; and also to make choice of some one of the aforesaid faculties, wherein he is to study and improve himself, that he may be the better fitted for the service of God.

Last of all, for fulfilling the aforesaid number, are founded six singing boys (*pueruli choriales*), having good clear voices, and being skilled in musick; who are bound, with the aforesaid priests and chaplains, at all hours to be present at divine service; and also to study diligently in one or other the aforesaid faculties. For the accommodation of all these founded persons, the aforesaid bishop William Elphinston built (as has been said before) a very stately college, consisting of an entire court, with chapter, hall, schools, chambers, and all other necessities, all covered with lead; and assigned lodgings to the principal, subprincipal, and all students both of theology and philosophy within the gates thereof, with all desirable easements and accommodations.

For

For the rest he built particular and distinct manſes, with gardens, and all other neceſſaries, without the college, viz. for the canonist, civilist, mediciner, and grammarian, appointing them to have their lessons in their own manſes, which were furnished with all conveniences for that effect, as if they had been so many little colleges. He appointed also to be built chambers and other accommodations for the chaplains and singing boys, which was afterwards begun, and brought some length, though not perfected, by bishop William Stewart, in a more commodious and convenient place than had been appointed by bishop Elphinston, which is now allotted to the principal for his dwelling house, but yet goes commonly under the name of Chaplain's Chambers. But above all, the church or chapel was furnished and adorned with as great variety of rich and splendid ornaments as any church or chapel in Scotland, either for altars, images, pictures, crosses, crucifixes, monstrances, eucharists, chalices, lamps, candlesticks, vestments, hangings, bells, or any other things, usual in churches in those days. A particular inventory whereof and register is still extant in the chanter chest of the said college, amounting to an incredible value,

For maintainance also of the aforesaid persons, the same bishop Elphinston, beside the former mortifications of the hospital of St. Germain's, and parsonage and vicarage of Slains, which were principally by his procurement, mortified several other considerable things, and by his interest and authority in the country, and chiefly by his good example, moved several other persons both churchmen and laicks to do the like; insomuch as to every one of the aforesaid persons was allotted a distinct though mean salary, until such time as it shall please God to move the hearts of others to bestow more liberally upon them.

Afterwards, about the time of the Reformation, or shortly after, they received a considerable accession from King James VI. who
first

first bestowed upon them (anno 1574) the subchantery of Aberdeen commonly called the Spital, the parsonage and vicarage of Furvie, the chaplainries of Westhall and Fallowroule, and all the rents and revenues of the Carmelite friers in Banff.

Afterwards, 1574, the whole deanry of Aberdeen was resigned in their favour by Mr. Robert Maitland, dean for the time, with a reservation thereof for the said Mr. Robert's life-time; and again, 1586, the parsonage of Methlick was resigned also in their favour with the like reservation by Mr. Walter Stewart, principal of the said college, who enjoyed the said benefice for the time. These three mortifications, especially the deanry, make up the greatest part of the revenues at present possessed by them; by which means also the principal of the said college is now always dean, the subprincipal subchantor, and the eldest regent parson of Methlick.

Yet as the Reformation made a considerable accession to their revenues, so it produced a great change in their foundation and constitution. For not only were all the present incumbents deposed for popery and superstition, but also the greatest part of their offices totally suppressed and abolished; and, in a word, nothing left but the office of principal, subprincipal, three regents, and a grammarian or humanist, together with some few bursars in philosophy; and accordingly there was a new foundation drawn, anno 1592, much after the model of the foundation made some time before for St. Andrew's and Glasgow, which foundation still continued in use till about anno 1619, when bishop Patrick Forbes obtained a ratification and renovation of the old foundation in parliament, to remain in full force and vigour in all time coming; and accordingly restored some of the chief offices formerly abolished; viz. canonist, civilist, and mediciner, which for the most part have still since continued, with a purpose also to have restored all the other members and offices, at least in so far as they were consistent with the present established reformed religion; but being prevented

vented by death, and our late national troubles falling in shortly after, never any thing was done in order to it, nor can reasonably be expected to be done, except our governors be pleased to take into their consideration the meanness of the present revenues of the college, which after all the improvements that the present incumbents have been able to make of it is so mean and inconsiderable it were a shame to name the masters salaries in print. In the mean time the aforesaid first foundation hath been ratified in all the succeeding parliaments lawfully held since that time, and remains presently in vigour in the said college, at least so far as it was authorized by the aforesaid bishop Patrick Forbes, in manner above set down. The filling of all the aforesaid places and offices goes by election after this manner. The principal is chosen by the rector of the University, the *Procuratores Nationum* (for all the sub-posts of the University according to the usual custom are divided into four nations, viz. Aberdeen, Murray, Angus, and Lothian) the doctors of the canon and civil and civil laws, the mediciner, the subprincipal, the grammarian, the *Regentes Artium*, and other students of theology, the cantor, and sacrist, or the greatest part thereof, and is admitted by the chancellor of the University. The canonist by the aforesaid rector and procuratores, the principal and subprincipal, civilist, mediciner, and grammarian, and admitted likewise by the chancellor. The civilist, with the batchelors and students of the laws, by the rector and procuratores, principal and subprincipal, canonist, mediciner, and grammarian, and admitted by the chancellor. The mediciner by the rector and procuratores, the principal and subprincipal, the canonist, civilist, and grammarian, and admitted by the chancellor. The subprincipal by the rector and procuratores, the four doctors, the grammarian, regents, and students in theology, and admitted by the chancellor. The grammarian by the rector and procuratores, the four doctors, the subprincipal, regents, and students in theology, cantor,

cantor, and sacrist, and admitted by the chancellor. The students of theology and philosophy by the subprincipal, regents, grammarian, canonist, civilist, mediciner, and admitted by the principal. The cantor and sacrist by the principal, subprincipal, canonist, civilist, mediciner, grammarian, and regents, and admitted by the chancellor. The other six *prebendarii chori* by the rector, subprincipal, doctors of the law and medicine, grammarian, cantor, and sacrist, and admitted by the principal. The six choristers by the subprincipal, regents, grammarian, cantor, and sacrist, and admitted by the principal. Where it is observable, that every one of these elections differeth in something from all the rest; particularly the principal's is by all members or *majorem partem*, but the rest neither by all nor the greatest part of the electors; but to them is subjoined this following clause, *Volumus autem ut in omnibus istis electionibus, seu nominationibus, principalis dicti collegij habeat vocem electivam, seu nominativam & conclusivam*, which proportion hath been the occasion of many jars betwixt the principal and the rest of the members anent their elections; they contending that all should by plurality of voices; and he claiming by the aforesaid clause as much as will at least amount to a negative. And it were very desirable that authority should give the sense thereof, to be a standing rule in all times coming, which might be a means to prevent all divisions and discords among them for the future.

In the mean time it is further expressly provided, that if the electors do not elect within a month after the vacancy conform to the aforesaid method, the place shall be filled for that vice by the chancellor of the University; or in the vacancy of the see by the commissioner of Aberdeen.

Out of the aforesaid number one is yearly to be chosen common procurator of the college, whose office is to collect and distribute according to the foundation all the rents of the said college,

also to grant charters, leases, and tacks to the vassals, tacksmen, and other tenants, for the profit, welfare, and utility of the college, but not without advice and consent of the masters his constituents, or major part thereof. He is yearly to make compt to the college of his innomissions, and also to give sufficient caution and surety ere he be admitted to that office.

There is moreover to be chosen, at the pleasure of the principal, subprincipal, and regents, an *æconomus* or provisor, who is bound to keep a table within the college to the principal, masters, and burghs, at the expence of the college, and also to such other students on their own charges as the principal and masters shall think fit to admit thereto.

There are also to be chosen, in case of vacancy, by the principal and masters, the *vicarij pensionarij*, or the ministers and curates of those churches whereof the college hath the tithes, and consequently the patronage; viz. Aberluthot, Glemuick, and Glengarden, Slains, Methlick; Old Machar, and New-hills, which three last are all of the deanry above-written.

Last of all it is appointed by the foundation, that yearly shall be chosen the rector of the University, who whether he be a member of the college or not (which though he may be, yet now that there are more colleges in the University is neither usual nor to any purpose, as will presently appear) must always be one actually resident within the bounds of the University, who (providing he be not *de gremio Collegii*, in which the commissioner of Aberdeen) is bound by the counsel and advice of four assessors, masters of arts of the University, and to be chosen also and deputed for that effect by the University once ever year, to visit the said college, *tàm in capite quàm in membris*, all the doctors, professors, students, and other members thereof; and to search and enquire whether all things be rightly gone about, accordingly to the order of the foundation; and whatever shall be found amiss to put in

writing, and represent it to the chancellor of the University, who by the advice of the aforesaid visitors is bound to reform and amend the same, as he shall answer to God.

And if the said visitors shall either be wanting or negligent in their visitation every year with the solemnity and uprightness that is requisite, then the aforesaid chancellor by himself may and ought to do it in manner above written, being charged by the foundation to do so, as he shall make his account to God.

Here followeth a List of all such as have been MASTERS and PROFESSORS in the King's College of Aberdeen; as also of some other famous persons educated therein.

I. PRINCIPALS.

1. Hector Boethius was the first principal whom bishop Elphinston brought purposely out of France for that end, together with Mr. William Gray to be subprincipal; both of them at that time professing philosophy in the University of Paris. He was the author of that famous Chronicle of Scotland called "Boyes's Chronicle." He received his degree of doctor in the same college, after he was principal thereof.

2. Mr. William Gray, subprincipal, presently spoken of, succeeded principal after Boyes's death, and lived till about anno 1540.

3. Mr. John Biffat, regent in the said college, succeeded (as should appear), by a presentation from the pope, which was expressly contrary to the foundation. For afterwards, anno 1551, he resigned his **principality** into the pope's hands in favour of Mr.

Alexander

Alexander Anderson, subprincipal, who (it seems) was his competitor for the place, and was ever after during the said Mr. Biffat's life, which was till about anno 1559, designed in all publick writes *subprincipalis Collegij regalis Aberdonen. & officio principalis*.

4. Mr. Alexander Anderson, subprincipal, succeeded sole principal after Mr. Biffat's death. In his time fell out the Reformation, wherein together with all the masters he was deposed, anno 1569, by a visitation appointed by the general assembly, the Earl of Murray, regent, being personally present at the deposition. He was esteemed a man both pious and learned, and also very active and fit for his employment. He kept on the lead upon the fabrick, and defended the college, *manu forti*, from being sacked in the time of the Reformation; but afterwards, finding all things going to wreck and ruin (as he supposed), he conveyed away all the ornaments and *jocalia* of the college privately, and thought to have done so with the writes and evidents of the charter chest also, but was prevented. He was parson of Mortullich also, and vicar of Kinkell. He lived several years obscurely in Aberdeen after his deposition, and died there.

5. Mr. Alexander Arbuthnot, parson of Arbuthnot, was put in after Mr. Anderson's deposition, anno 1569; by his procurement the deanry and subchantery were obtained to the college. He died in October 1583.

6. Mr. Walter Stewart, subprincipal, succeeded anno 1584, and died 1593, not being past 36 years of age; a man much esteemed both for learning and prudence. He had the parsonage of Mothlick, and resigned it to the college, as was said before.

7. Mr. David Rait, subprincipal, succeeded, and was afterwards graduated doctor of divinity, being the first that received the degree in the college after the Reformation. He lived till anno 1632, having borne office within the college as regent, subprincipal, and principal about 50 years. In his time the office of

canonist, civilist, &c. were revived by archbishop Patrick Forbes, as were said before.

8. Dr. William Leslie, subprincipal, succeeded after Dr. Rait's death; he received the degrees both of bachelor and doctor while he was subprincipal; he was in very great esteem for his learning, being one of the doctors of Aberdeen who wrote the Duplies, &c. He was deposed for his refusing the covenant, anno 1639.

9. Dr. William Guild, minister of Aberdeen, was made principal after Dr. Leslie's deposition, anno 1641; he was a man very fit for government, and rectified and reformed many abuses, which had crept formerly into the college, and established good order and discipline among the students. He was also deposed by the English in the time of Usurpation, anno 1652.

10. Mr. John Row, minister of Aberdeen, was put in principal by the English after Dr. Guild's deposition; and was also put out again at the King's restoration, anno 1661. He was skilled in the Hebrew tongue, and took great pains in teaching the students the same.

11. Mr. William Rait, minister at Brichen, was chosen principal after Mr. John Row, but continued only a year, and was transported to be minister at Dundee, having never settled at Aberdeen. He had been regent in the college, and was a man of known repute both for learning and piety.

12. Mr. Alexander Middleton, formerly subprincipal, but then minister at Old Aberdeen, entered principal anno 1663. He had been deposed from the subprincipality by the English at the same time with Dr. Guild; and after Mr. Rait's transportation was again restored principal, and was living 1683, having been eight years regent, eleven subprincipal, and twenty principal of the said college.

13. Dr. George Middleton succeeded his father Mr. Alexander Middleton in the office of principalship in the King's college of
Old

Old Aberdeen. He was first minister at Glamms; but being called to the college, he was five years regent, seven subprincipal, and thirty-five principal. He was graduated doctor of divinity by the archbishop of St. Andrew's. He was a great humanist and philosopher, a sound divine, and of a circumspect life and conversation; notwithstanding the presbyterians turned him out of his post, and with him Mr. John Gordon, civilist, Dr. James Urquhart, and Mr. Richard Gordon, regents, anno 1717.

CANONISTS.

1. Mr. Arthur Boyes, brother to the aforesaid Hector Boyes, principal, was the first canonist.

2. Mr. John Sinclair, *utriusque juris licentiatus*.

3. Mr. John Spittal.

4. Mr. John Leslie, U. J. C. He was also commissioner of Aberdeen, and parson of Oyne; and afterwards bishop of Ross, famous for his fidelity to Queen Mary.

5. Mr. Andrew Leslie.

6. Mr. Alexander Cheyne, commissioner of Aberdeen.

7. Mr. William Anderson was the first canonist when the office was restored 1619; he was only titular, and had no salary.

8. Mr. James Sandilands, commissioner of Aberdeen, J. U. D.

9. Mr. James Sandilands, son to the aforesaid Mr. James, afterwards civilist.

10. Mr. Robert Forbes, who was last in that office.

CIVILISTS.

1. Mr. Nichol Hay, commissioner of Aberdeen, was the first.
2. Mr. Thomas Nicolson, commissioner of Aberdeen.
3. Mr. Roger Mowat, advocate in Edinburgh.
4. Mr. James Sandilands, younger, formerly canonist.
5. Mr. Patrick Gordon, formerly regent and afterwards humanist.
6. Mr. William Johnston, formerly regent.
7. Sir George Nicolson of Kemnay, one of the senators of the college of justice.

MEDICINERS.

1. Mr. James Cumming was the first.
2. Mr. Robert Gray.
3. Mr. Gilbert Skene.
4. Mr. Patrick Dun, afterwards principal of the Marischal college.
5. Dr. William Gordon.
6. Dr. Andrew Moore.
7. Dr. Patrick Urquhart, presently in office.
8. Dr. Gregory, immediately after Dr. Urquhart's death, succeeded, anno 1725, and is presently in office.

SUBPRINCIPALS.

1. Mr. William Gray was the first subprincipal, being brought from Paris for that end, as was said before. He entered principal after Hector Boyes's death.
2. Mr.

2. Mr. Alexander Anderfon was the fecond, and entered principal after Biffat's death.
3. Mr. Andrew Galloway fucceeded, when Anderfon was made principal, and was put out with him at the Reformation.
4. Mr. James Lawfon was made fubprincipal at the Reformation, when Mr. Arbuthnot was made principal; he continued but three years, and then fucceeded minifter at Edinburgh in the place of John Knox.
5. Mr. William Stewart was the next fubprincipal, who entered principal after Mr. Arbuthnot's death.
6. Mr. David Rait fucceeded him both in the offices of principal and fubprincipal.
7. Mr. Peter Venep, who died in that office.
8. Mr. John Chamber, afterwards minifter of Keith.
9. Mr. Patrick Guthrie, afterwards minifter of Logie.
10. Mr. William Forbes, afterwards parfon of Mortullich.
11. Mr. William Leffie, afterwards principal.
12. Mr. David Leitch, afterwards minifter of Ellon.
13. Mr. Robert Ogilvie, afterwards minifter at Methlick.
14. Mr. Alexander Middleton, put out by the Englifh anno 1652; and afterwards made principal at the King's reftoration.
15. Mr. Gilbert Rewle was put in by the Englifh, and having continued three or four years, went to England.
16. Mr. Patrick Sandilands, who died in that office.
17. Mr. Andrew Maffie, afterwards regent in Edinburgh.
18. Dr. George Middleton, afterwards principal.
19. Mr. George Frafer, who died in that office.
20. Mr. Alexander Frafer, prefently in that office.

GRAMMARIANS.

1. Johannes Vaus.

2. Theophilus Stewart. After the Reformation, for many years there was no grammarian, but some student or other in theology put in for a time, to officiate for a certain salary, without any of the privileges belonging to the office of the foundation, who was commonly preferred to the first vacant regency, till bishop Patrick Forbes restored also that office to its integrity. After which succeeded,

1. Mr. David Wedderburn, only titular.

2. Mr. George Milner, afterwards minister at Premnay.

3. Mr. John Lundie, who died in that office.

4. Mr. John Brodie.

5. Mr. John Forbes, formerly professor of humanity in the Marischal college, afterwards sheriff-depute of Aberdeen.

6. Mr. Patrick Gordon, who, having been formerly deposed in the time of usurpation from his regency, was made civilist at the King's restoration; and upon some considerations exchanged the said office with this office of humanist.

7. Mr. Alexander Gordon, son of the aforefaid Mr. Patrick, succeeded humanist in the King's college.

REGENTS.

1. Mr. John Biffat is the first regent we read of, who was afterwards principal.

2. Mr. Alexander Anderfon, afterwards subprincipal and principal.

3. Mr.

3. Mr. Andrew Galloway, afterwards subprincipal.
 4. Mr. John Henderfon.
 5. Mr. Gilbert Garden.
 6. Mr. William Mainie.
 7. Mr. William Lumfden.
 8. Mr. Robert Maitland, afterwards dean of Aberdeen; the same who resigned the deanry in favour of the college, at the Reformation.
 9. Mr. James Chalmer.
 10. Mr. John Rait.
 11. Mr. Andrew Anderfon.
 12. Mr. Thomas Anneslie.
 13. Mr. Gilbert Norrie.
- The three last were put out, with the principal and subprincipal, at the Reformation.

After the Reformation.

1. Mr. George Paterfon, afterwards minister at Daviot.
 2. Mr. Hercules Rolloch.
- These two were put in at the same time, when Mr. Arbuthnot was made principal, and Mr. Lawfon subprincipal.
3. Mr. Thomas Cheyne.
 4. Mr. Duncan Davidson, afterwards minister at Rethyn.
 5. Mr. Robert Mercer, afterwards minister at Banchorie-Devenick.
 6. Mr. Walter Ogilvie.
 7. Mr. Walter Stewart, afterwards both subprincipal and subprincipal.
 8. Mr. Alexander Skene.
 9. Mr. Andrew Arbuthnot.
 10. Mr. Daniel Rait, afterwards both subprincipal and principal.

11. Mr. Robert Burnet, afterwards minister at Oyne.
12. Mr. Peter Udney, afterwards subprincipal.
13. Mr. David Clarke.
14. Mr. William Barclay, afterwards an advocate in Edinburgh.
15. Mr. John Guthrie, afterwards minister at Banff.
16. Mr. James Sibbald, afterwards parson of Benholme.
17. Mr. William Forbes, afterwards minister at Kilbotoeh, or Towie.
18. Mr. David Robertson, afterwards minister at St. Fergus.
19. Mr. John Chalmers, afterwards subprincipal.
20. Mr. Andrew Young, both before, and afterwards regent in Edinburgh.
21. Mr. James Strachan, afterwards minister at Colestone.
22. Mr. Patrick Guthrie, afterwards subprincipal.
23. Mr. Gilbert Keith, afterwards minister at Skene.
24. Mr. Patrick Reid.
25. Mr. Robert Dunbar, afterwards minister at Skene.
26. Mr. James Rait, afterwards minister at Arbuthnot.
27. Mr. William Forbes, afterwards subprincipal.
28. Mr. William Leslie, afterwards both subprincipal and principal.
29. Mr. Alexander Lucan, afterwards minister at Monumusk.
30. Mr. John Forbes, afterwards minister at Auchterless.
31. Mr. Patrick Forbes, who died regent.
32. Mr. John Lundie, afterwards humanist.
33. Mr. David Leitch, afterwards subprincipal.
34. Mr. George Leith, afterwards minister at Belhelvie.
35. Mr. Andrew Strachan, afterwards professor of divinity in Old Aberdeen.
36. Mr. George Milne, formerly humanist, and afterwards minister of Premnay.

37. Mr.

37. Mr. James Sandilands, afterwards civilist.
38. Mr. Robet Ogilvie, afterwards subprincipal.
39. Mr. William Strachan, afterwards minister of Old Aberdeen.
40. Mr. Alexander Middleton, afterwards both subprincipal and principal.
41. Mr. Alexander Gordon, afterwards minister of Forgue.
42. Mr. Alexander Scroggie, afterwards minister at Old Aberdeen.
43. Mr. Patrick Gordon, afterwards both civilist and humanist.
44. Mr. William Rait, afterwards principal.
45. Mr. George Middleton, afterwards doctor of medicine; he was put out by the English.
46. Mr. Andrew Youngson, formerly regent in the Marischal college, afterwards doctor of medicine; he went abroad and became popish.
47. Mr. Patrick Sandilands, formerly regent in the Marischal college, afterwards subprincipal.
48. Mr. John Strachan, afterwards doctor of medicine; he went abroad and became popish, and died rector of the Scottish college at Rome.
49. Mr. Gilbert Rewle, afterwards subprincipal.
50. Mr. Hugh Anderson, afterwards minister of Cromarty.
51. Mr. Andrew Maffie, afterwards subprincipal.
52. Mr. William Johnson, afterwards civilist.
53. Mr. George Gordon, afterwards Earl of Aberdeen, and Lord High Chancellor of Scotland.
54. Mr. Robert Forbes, formerly regent in the Marischal college, and afterwards canonist.
55. Mr. Henry Scougal, afterwards professor of divinity in Old Aberdeen.

56. Mr. George Middleton, formerly minister at Glames, and afterwards both subprincipal and principal.

57. Mr. George Garden, afterwards minister at Old Aberdeen.

58. Mr. John Buchan, afterwards advocate in Edinburgh.

59. Mr. George Frazer, afterwards subprincipal.

These are the names of all such as have borne those offices in this office; many whereof have been very eminent for learning, and other endowments, and have done considerable service both in these and other nations wherein they have been employed. But besides these, many excellent men of great fame and reputation both at home and abroad, have had their education here, which were an endless labour to reckon out; and for instance thereof may be named only those great men the doctors of Aberdeen, so famous over all the three kingdom for their learning, piety, and loyalty in the beginning of our last national troubles; the greatest part of whom were educated from their infancy in this place, and such as at least received their degree therein.

But besides these, there may be mentioned three of the present age; who, by their virtue and merit, have raised themselves to the highest employments either of church or state, which subjects are capable of; and have perhaps (without disparagement to others) given as great proof of their conduct, and done as great service to these nations as any, or as could reasonably be expected of men subject to the common infirmities of nature, who all passed their course entirely in this place; and during that time both by their proficiency and deportment gave many early prefages of their future greatness; and these are,

1. John late Earl of Middleton, his majesty's first high commissioner for the kingdom, after his happy restoration.

2. James late lord archbishop of St. Andrew's, primate and metropolitan of all Scotland, so barbarously butchered for his service to God and his prince.

3. George

3. George earl of Aberdeen, who not only passed his course, but (as was said before) bore office here, being for the pregnancy of his parts and the great hopes he gave of himself elected and admitted regent the very next day after he was graduated master of arts, in the place of his own master, the famous and learned Dr. Strachan, who left the college at this time; in which office having acquitted himself to his own credit and the general satisfaction of all for the space of four years; having graduated his class, he dismissed his office; and having spent some few years in the study of the laws, partly at home and partly abroad, at his return to the kingdom entered advocate; and being elected commissioner for the barons of the shire of Aberdeen to his majesty's second parliament, held by the duke of Lauderdale, did therein, and in other transactions wherein he was occasionally employed, give such evidence of the greatness of his parts, and his fitness for greater employments, that in a very short time he passed (as it were) through all the stages of preferment; being first admitted one of his majesty's privy council, afterwards one of the senators of the college of justice, after that president of the session, and last of all lord-high-chancellor of Scotland, which office he executed to his majesty's honour, the happiness of this kingdom both for the church and state, the immortal glory and renown of himself and noble family, and the great credit of this famous University and college, the happy place of his education. He hath purchased a great estate, and is yet in life this year 1719.

To these may be subjoined another of the last age, no less famous for the greatness and nobility of his virtue and employments, viz. George earl Marischal, founder of the Marischal college, sometime also high-commissioner of this kingdom under his majesty king James VI. in his parliament 1606; and who had formerly sustained the person of proxy to his majesty in his happy marriage with the virtuous and renowned queen Ann.

Many other persons, some of great quality by birth, and others honourably employed both in church and state, might be named; some whereof have been, and others are, ornaments to this nation; but not being able to condescend upon all, and loth to mention some, and neglect others, I shall forbear.

Registrum omnium vasorum argenteorum, æneorum, ferreorum, capparum & aliorum Templi ornamentorum, necnon vestium, atrabascensium, cervicalium, & aliorum bonorum Coll. Reg. Aberd. in Templo, Campanili, Aulâ & Cubiculis ejusdem Coll. contentorum. Compositum in Visitatione factâ per venerabiles & egregios viros, Magistros Jacobum Strachan de Belhelvie, Universitatis Aberdon. rectorem, Alexander Galloway à Kinkell, Alexander Spittall à Clatt, Jacobum Wavern de Oyne, & Johannem Elphilston de Invernochtie, canonicos Aberdon. A. D. 1542.

Vasa Argentea.

Una monstrantia argentea, duos cubitos propè alta (eucharistiam vulgus appellat) ad Christi Corpus adorationis causâ, à populo deportandum, incredibili arte confecta, deaurata, ponderis . . . In eâ beryllum pulchrum.

Alia monstrantia parva, ad similem usum, non deaurata; ponderis . . .

Crux argentea, cum crucifixio; ponderis quinquaginta unciarum argenti.

Duo candelabra argentea, ponderis . . .

Duo thuribula argentea, ponderis . . .

Arcula thuraria, cum cochleari argenteo, ponderis 12 unciarum argenti.

Aliud

Aliud cochleare argenteum, auratum, manubio cristallino, ad eundem usum; duarum propè unciarum.

Calix argenteus, auratus; cum patenâ: 5 supra viginti unciarum, donatus per bonæ memoriæ Georgium Brown, quondam episcopum Dunkelden.

Textuarium argenteum, auratum; 5 supra 20 unciarum.

Vas argenteum, ad benedictam aquam circumvehendam, cum asperforiis; ponderis 4 supra 40 unciarum.

Tres calices minores argentei, aurati, cum pateris; singulæ singularum 17 unciarum.

Calix magnus argenteus, deauratus; cum patenâ, & cochleari, ponderis 42 unciarum.

Duo calices argentei, cum patenis, non aurati; horum unus, cum patenâ, ponderis 20 unciarum, cum medio; alter, cum patenâ; 4 supra 20 unciarum.

Calix argenteus, non auratus, datus per M^rum Arthurum Boothium, olim canonistam collegij Aberdonen.

4 Phialæ argenteæ; harum duæ majores, ponderis 14 unciarum, cum quartâ unius unciae; aliæ duo paulò minores, ponderis . . .

Insignia regis argentea, aurata, & miro artificio confect, circumferenda in pectore principalioris cappæ, in magnis solennitatibus.

Vasa Ænea.

Octo candelabra ænea.

Duo candelabra, ad ornatum altaris folij crucifixi; data per dominum Gul. Elphingston, olim rectorem de Clatt.

Tres ambones ænei; unus pro evangelio cantando; alter pro epistolâ; & tertius pro legendâ. Vas æneum pro aquâ benedictâ circumvehenda.

Vasa Ferrea.

Lampas pendula, coram venerabili sacramento, donata per M^{rum} Alex^{um} Galloway, rectorem à Kinkell.

Candelabrum æneum pendulum, coram summo altari, ex dono magistri Arthuri Boethij.

Columnæ Æneæ.

Quatuor columnæ, super quas effigies 4 angelorum portantium insignia* Christi; sunt enim super easdem columnas 10 candelabra æneæ.

3 Candelabra ænea, pro luminibus in choro, tempore hyemali.

2 parva candelabra ænea, ad ornatum altaris B. Catharinæ Virginis; donata per M^{rum} Arthurum Boethium.

Sepulchrum domini fundatoris; in cujus suprema parte imago ipsius in pontificalibus, cum 2 angelis portantibus 2 candelabra ad caput; & 2 mercenarijs epitaphium in eum inscriptum ad pedes portantibus: inferiùs, ex australi parte, 3 virtutes theologicæ, et contemplatio; in boreali, 4 virtutes cardinales, suis signis distinctæ. In orientali & occidentali partibus domini fundatoris insignia, ab angelis lata.

Cappæ, & aliæ Vestes prætiosæ.

Imprimis. Ex auro textili rubro, sacræ vestes. 4 cappæ, casula, dalmatica, 3 albæ linteæ hæc ornamenta concernentes. Tunica, & amictus 3, harum fibræ laterales auro atque byssō artificiosissimo opere redimitico, sanctorum imaginibus contextæ. 2 stolæ, 3 manipuli, 15 puramenta.

Ex auro textili albo sacræ Vestes.

4 Cappæ, casula, dalmatica, tunica, 3 albæ linteæ concernentes amictus, 3 harum fibræ laterales aureæ & byssinæ, opere redimitæ divorum imaginibus contextæ. 2 Stolæ, 3 manipuli, 15 puramenta. Cappa unica ex auro textili viridi bisso eminenti;

* See note p. 102.

fibrâ laterali rubrâ; dono præfati reverendi domini Georgij Brown, episcopi Dunkelden.

Virides ex villoso Byffo.

4 Cappæ, cafula, dalmatica, tunica, 3 albæ lineæ concurrentes, & amiētus tres; harum fibræ laterales aureæ & byffinæ, opere redimitico divorum imaginibus contextæ. 2 Stolæ, 3 manipuli, 15 puramenta.

Azureæ Vestes ex villoso Byffo.

4 Cappæ, cafula, dalmatica, tunica, 3 albæ lineæ concurrentes, & amiētus 3; harum fibræ laterales opere redimitico, ut fupra contextæ. 2 Stolæ, 3 manipuli, 15 puramenta.

Rubræ vestes ex villoso Byffo.

2 Cappæ, cafula, dalmatica, tunica, 3 albæ lineæ concurrentes & amiētus 3; harum fibræ laterales, opere redimitico, ut fupra contextæ.

2 Stolæ, 3 manipuli, 15 puramenta.

Nigræ vestes ex villoso Byffo.

4 Cappæ, cafula, dalmatica, tunica, 3 albæ lineæ concurrentes & amiētus 3; harum fibræ laterales ex villoso byffo rubrâ, aureis ftellis confitæ.

2 Stolæ, 3 manipuli, 15 puramenta.

Ex Byffo palmata azurea.

2 Cappæ, quarum fibræ laterales ex byffo palmata alba, ftellis aureis confitæ. 3tia cappa, fibrâ laterali undulata byffo. cafula ex fatina byffo, ad colorem azureum tendente, rubra cruce ejufdem generis byffi, cum ftolâ albâ, & 5 puramentis.

Vestes sacræ pro dominicali ufu.

Cafula, dalmatica, tunica, ex byffo palmite fubalba, tractibus & cruce, ex rubra fatino byffo; 3 albæ, cum 15 puramentis.

Pro quotidiano usu.

Una casula, ex bysso undulata, rubra, cruce viridi; casula ex bysso undulata, subrubra, cruce viridi; 2 albæ, 2 amictus.

Pro Quadragesima.

3 Casula, crucibus rubris; cappa, dalmatica, 3 stolæ, 3 manipuli, 15 puramenta ex albâ fatinâ, 3 albæ concurrentes, cum tribus amictibus.

Vestes puerorum ministrantium in solemnitatibus.

3 Cappæ, casula, dalmatica, tunica, 2 stolæ, 3 manipuli, 15 puramenta, 2 pendulæ vestes pro summo altari, crucibus rubris; hæ omnes ex duplici worstet, nigro & azureo; 3 albæ, & 3 amictus lintei concurrentes eadem vestes.

Corporalia & eorum capsulæ.

Unum corporale honestum, ex lino Hollandico, dono Alexandri Galloway à Kinkell.

Cistula miro artificio confecta, & varijs margaritis exornata, pro reliquijs sanctorum & corporalibus; coopertorium calicis, ex auro textili, per dictum rectorem de Kinkell donatum.

Una capsula, lateribus purpurâ operatis, & superiore parte ex auro textili, per præfatum rectorem de Kinkell donatum.

Alia capsula, lateribus bysso villoso nigro operatis, & superiore parte effigie pueri Jesu, & auro textili operata, per dominum de Elphinston data.

Altaria, & eorum ornamenta.

Pro majori altari 3 antependia; 1, cui historiæ divæ virginis Mariæ, filis byssiniis ac lateris sunt contextæ.

2. Effigies apostolorum, Petri, Andreæ, & Johannis continet.

3. Pro quotidiano usu.

Ad majus altare est una tabula magna arte pictoria, miro ingenio confecta; vestis linea ad hanc tabulam, tempore Quadragesimali

mali tegendum, cui crux rubra affigitur; alia vestis linea minor ante summum altare, tempore Quadragesimali appendenda, rubrâ cruce; velum magnum, ex candente lino, infra chorum, & summum altare, tempore Quadragesimali, appensum, cum cordis & annulis requisitis.

Altare venerabilis sacramenti, constructum per præfatum rectorem de Kinkell.

Super hoc altare est locus pro sacramento figuræ pyramidatae, per eundem rectorem donatus.

Est præterea statua divæ Virginis, patronæ collegij, ex alabastris, feu Pario lapide; parva tabula, ex auro textili, per eundem rectorem donata.

2 Mappæ per eundem; parvum cervical, ex arrais . . . per eundem; vestis atrabascensis* cum imaginibus, pendula apud idem altare, per eundem.

Altare B. Catharinæ Virginis, constructum per executores Hectoris Boethij; effigies . . . ad hoc altare est tabula continens; effigies duæ nostræ divarum, Catharinæ & Barbaræ.

Antependium, cum armis præfati Hectoris; vestis atrabascensis propè idem altare pendula, continens imaginem nostræ dominæ in medio; per Arthurum Boethium.

Calix & candelabra prius scripta. Casula, ex villoso bysso purpura, ad usum ejusdem altaris, cruce flavâ ex fatinâ; alba, cum amictu, absque puramentis.

Stolæ ex bysso undulata . . . per eundem Arthurum Boethium.

Duæ mappæ ad idem altare per eundem.

Missulæ parum impressum, per eundem, pro eodem altari.

Altare B. Mariæ virginis in nave ecclesiæ habet tabulam arte statuariâ, & duas statuas; alteram ejusdem virginis, & alteram B. Kentigerni episcopi.

* *Atrabaticæ vestes*, atrii coloris. Suidas and other Glossaries. Du Cange, in voc.

Antipendia ejusdem altaris, viz. unum atrabascense, cui divarum effigies & flores, filis laneis subtilibus byffo commixtis sunt contexti; dono Andreæ Cullane, burgenfis de Aberdon.

Aliud ex totâ linea floribus contextum pro quotidiano usu, cortina byffina, dono ejusdem Andreæ Cullane.

Duo velamina, ad usum ejusdem altaris, tempore Quadragesimali, altam super tabulam.

Alterum pendulum ante altare; unum antipendium, ex telâ rubrâ worfet, aureis ac byffinis floribus, opere redimitico ornatum.

Altare Sti. Germani, habens tabulam arte statuariâ, & duas statuas; alteram Salvatoris flagellati, alteram Sancti Christophori.

Antipendia ejusdem altaris, viz. unum divæ virginis effigies, *ad refugium* trito vocabulo dicta, filis laneis ac byffinis textitur; aliud ex telâ lineâ floribus contextum, pro quotidiano usu; duo velamina ad usum ejusdem altaris tempore Quadragesimali, ut supra.

Unum antipendium, ex telâ rubra worfet, aureis ac byffinis floribus, opere redimitico ornatum.

Altare solij crucifixi, super quod est crucifixus; & statua divæ virginis, & Johannis apostoli & evangelistæ; velamen lineum, pro usu Quadragesimali, cooperiens crucifixum, & duas prædictas statuas, cui crux rubra affuitur.

Ornamenta ejusdem altaris, per dominum Gul. Elphingston à Clatt.

Vestis pendula, cui effigies crucifixi, lanâ & byffo, varijs cum floribus, & imaginibus intexitur.

Duæ mappæ ad altaris usum; casula ex telâ worfet subrubrâ, cum manipulo, stolâ, 5 puramentis, floribus, auro & byffo redimitico, alba, cum amictu & zona.

Item, Missale parum impressum, per eundem rectorem de Clatt donatum.

Duo candelabra supra scripta sunt.

Velamen magnum ex lino ante statuas Salvatoris et apostolorum
in

in facie folij crucifixi, tempore Quadragesimali, appensum; huic tres cruces nigræ sunt affutæ.

Not. singulæ ecclesiæ, super altaria singula, habent velamina lineæ pro Quadragesimali.

5 Mappæ manuum, fudaria, manitergia; deest eorum catalogus. Sex aurea tapetes, & pulvinaria templi.

4 Aulea magna, molliori lanâ, byssinis filis immixtis fabricata; quibus regia insignia simulatque fundatoris sunt intertexta, cum florum varietate; continent horum singula plus 19 ulnas mensuræ Scotiæ ad quadrum: stragulum unum, quo pavementum ante magnum altare sternitur, floribus ac domini fundatoris insignibus contextum; duo tapetes ad fedis rectoris Aberdonen. ornatum. quibus fundatoris insignia cum floribus intexuntur.

Pulvinaria 5, duo majoris cum insignibus domini fundatoris confectâ; duo majoris cum insignibus Andreæ Elphingston; quintum ex molliore lanâ, cum bysso & agno altaris contextum. Hæc 3 dono præfati domini à Kinkell.

Item, una parva vestis atrabascensis, pro coperiando ambone ligneo; alia ad similem usum, cum cuniculis contexta.

Libri chori & templi collegij.

5 Antiphonalia, & 7 psalteria, omnia membrana, characteribus aureis, argenteis & azureis, rubrisque capitalibus exarata, divorum effigibus, auri, argenti, atque colorum varietate gratissima, uti historiæ principia deposcunt, depicta.

4 Breviaria ex membranâ, quorum duo Mr. Joan. Harvie, rector de Benhame, olim rector universitatis Parisiensis, collegio donavit: Aliud vero cum parvo psalterio præfatus rector de Clatt.

Duæ legendæ; altera de tempore, altera de sanctis; duo gradualia; unum epistolare; unum evangelium; unum martyrologium; liber ad organistæ usum accommodatus ordinariûm.

Evan-

Evangelium principalium festorum, cum calendario obituum, dono magistri Alexandri Galloway, rectoris de Kinkell.

4 Missalia; quorum unum capitalibus elementis aureis, rubris & azureis, artificiosis pictoris adjectis.

Item, 8 processionalia, & 2 libri rubricorum pro juvenibus; omnes in pergamena scripti.

Magnus liber, *Vocabulare Catholicon* dictus.

Rationale dominorum bene ligatum.

Capsule vasorum argenteorum.

Pro majore monstrantiâ, capsula ex corio.

Item, pro duobus candelabris argenteis duæ; item, pro 2 thuribus duæ; item, pro majoribus calicibus.

Cortinæ templi deest catalogus.

Parvæ tabulæ templi.

Una habens effigiem divæ Virginis Mariæ, opere redimitico contextam; alia, super quam depingitur gloriosa virgo; alia, habens effigiem divæ Catherinæ; alia, super quam depingitur Johannes Elphingston, miles, coram imagine crucifixi, ad altare beatæ Mariæ Virginis, dono præfati rectoris de Clatt.

Alia, habens effigiem dominæ nostræ de Loretto, ad idem altare.

Alia, habens effigiem crucifixi, pendens super folium organorum; dono magistri Joannis Vaus, olim grammatici hujus collegij.

In folio organorum, organa ipsa, cum imagine divæ Virginis in superiore parte eorundem.

Ornamenta rectoris.

Baculus rectoris, argenti; cum armis regis, & fundatoris, ponderis . . . argenti.

Alius baculus, argentatus in quinque partibus, dono præfati rectoris de Kinkell.

Cappa

Cappa lutea (vulgò, *a scarlet cape*) pro rectore, cum caputio;
& per eundem alia parva cappa rectoris, absque caputio.

Vestès atrabafcentes, pro ornatu fedis rectoris, priùs scriptæ sunt.

Ornamenta facultatis artium.

Imprimis, quatuor rotundæ cappæ, cum novem caputijs, pro eisdem societatis.

Item, una cappa pro doctore, cum caputio concurrente.

Item, una parva cappa nigra, absque caputio.

Item, quatuor epitologia, quorum 3 ex telâ rubrâ Anglicana; & unum . . . Franthe Brown, cum quatuor caputijs; una, viz. ex Franthe Brown, una ex telâ rubrâ, & 2 nigris.

Item, 11 caputia Bacchalaureorum artium.

Campanæ & Campanulæ.

Quinque campanæ magnæ; viz.

1. Trinitas, (Diam. 5 Ped. 5 U.) cum hâc inscriptione,

Trinitate sacrâ fiat hæc campana beata.

2. Maria, cum hâc inscriptione,

Protege, precor, pia, quos convoco, Sancta Maria.

3. Michael,

En annuncio vobis novum gaudium, quod erit omni populo. Per me Geo. Waybevins, MDXIX.

4. Vocor Gabriel. *Cantate Domino canticum novum benè. Psallite ei vociferatione. Per me Geo. Waybevins, MDXIX.*

5. Raphael.

Cantate Domino canticum novum bene. Psallite ei in vociferatione. Per Geo. Waybevins, MDXIX.

5 Parvæ campanæ, pro mediâ horæ signandâ, cum totidem ferreis malleis.

2 Cappæ ad quotidianum usum.

Sunt pariter in templo 3 parvæ campanæ; quarum una ad præcipuum

cipuum altare Sancti Germani; & 3tia ad altare beatæ Mariæ, ad usum ibidem in facris.

Et pariter in campanili horologium magnum, ferreum, cum malleo ferreo ad horas signandas; ponderis . . . Magna Chorda (by Cabell) longitudinis . . .

Ornamenta aulæ.

3 Aulea magna; quorum unum divæ Annæ, cum suis historijs, effigies est intexta; reliquia 2, virorum mulierumque simulcra.

5 Aulea magna, animantium, arborum, & florum effigiebus contexta.

Arma pertinentia ad communitatem collegij. Imprimis, 12 axes; item, 7 spears, dono magistri Arthuri Boethij; item, 2 iron guns without stocks, and 4 chalmers and stone calms thereto; item, 2 gun-stocks, one of them broken; 4 chalmers and calms of brass; item, 3 hagbuts, with calms of stone; item, 1 halbert; item, back and fore geare.

Quæ continebantur in cubiculis, coquina, pomario, domo po-lentariâ, hardinariâ, granaria, & penu cerevisiarum, omittuntur.

VISITATIO collegij regij Aberdonen. per venerabilem & egregium virum, magistrum Alex'um Galloway, ecclesiæ cathedralis Aberdonen. canonicum, & de Kinkell in eâdem nuncupatum prebendarium, ac ejusdem universitatis rectorem: una cum egregijs & venerabilibus viris, magistris & dominis, Patricio Myton, archdiacono Aberdonen. Alexandro Spittal, Jacobo Wavine & Duncano Burnett, dictæ ecclesiæ similiter canonicis, atque de Clatt, Oyne, & Methlick, respectivè prebendarijs, ad præmissa facienda per eandem Universitatem communiter electis, apud dictum collegium, 8vo Id. Augusti, per inquisitionem proborum hominum, magistrorum, factam; anno post restitutam humano generi salutem nono & qua-

quadragesimo, fefquimillefimo, uti in codicillis defuper edictis prolixius caveatur; penes prænotatum rectorem remanen. 1549.

Tum deinceps præmiſſa (ut præfatur) viſitatione, 14to kal. Sept. anni jam citati, per reverendum in Chriſto patrem ac dominum D. Gulielmum Gordon, Aberdonen. antiſtitem, ſuprafatæ Univerſitatis cancellarium digniſſimum; talis ut ſequitur in dicto collegio erratorum compertorum, cum conſilio & aviſamento rectoris & viſitatorum ſupradictorum, facta eſt reformatio, & delictorum ibidem commiſſorum correctio.

Imprimis, pro reformatione perſonatorum principalium, &c.

Cætera defunt.

Anno 1726, the Abſtract of the Rents of the Archbiſhoprick of St. Andrews, and other eight Biſhopricks in Scotland; taken from the Exchequer Rental.

ST. ANDREWS.

	£.	s.	d.
The whole money yearly rent extends to	5973	2	8
	Beer. B. F. P. L.		
The wheat yearly is	188	2	2
	421	13	3
	609	3	3
	Small oats.		
Great oats	652	1	2
	251	0	2
	903	2	0
	Meal.		
Muirland oats	64	0	0
	59	2	0
	123	2	0
	For the Teind-yard of oats.		
Peaſe yearly is	6	0	0
	57	2	0
	63	2	0
	Peaſe for ditto Teind-yard.		
Bean for ditto Teind-yard	84	0	2
	48	0	0
	132	0	2
The total of victual,	1832	2	1
X			1
	EDIN-		

EDINBURGH.

	£.	s.	d.
The whole yearly money rent extends to	4983	2	4
	B.	F.	P. L.
The wheat yearly out of Mid-Lothian,	31	1	3 33
Ditto, out of Haddington shire,	16	0	0 0
Meal out of New Abbey, —	12	2	0 0
Ditto out of Mid-Lothian, —	39	2	2 0
Beer of Haddington, —	20	0	0 0
Ditto out of Mid-Lothian, —	451	1	0 0
Oats out of Haddington, —	51	2	1 2
Ditto out of Mid-Lothian, —	43	3	2 2
Beer out of New Abbey, —	26	0	0 0
The total of the victual is	689	1	1 3

GALLOWAY.

	£.	s.	d.
The rent of the Bishoprick is paid in money, which is	6261	8	0
The most of this Bishoprick's rent is paid to the dean of the Chapel-Royal; now to the King's chaplains, minister of Dumblane, and school-master, who have about 350l. sterling paid them; and there remains payable to the Exchequer, only	547	8	0
	DUNKELD.		

DUNKELD.

		£.	s.	d.
The whole yearly mone rent is	—	1662	17	6

The victual is gifted to the ministers of Meriglo and Dunkeld.

MURRAY.

The yearly money rent is	—	1807	19	4
Item, 300 loads of peats converted to		60	0	0
		B.	F.	P. L.
Item, Bear yearly,	— —	105	0	0 0

ABERDEEN.

The whole rent, reckoning the victual at				
4l. 3s. 4d. Scots, is	—	3519	3	8

BRICHEN.

The money rent, including customs and converted oats,	— —	1239	13	2
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X 2

Wheat

			B.	F.	P.	L.
Wheat yearly,	—	—	11	0	0	0
Bear yearly,	—	—	112	3	0	0
Meal yearly,	—	—	161	3	0	0
The total of victual is			285	2	0	0

CAITHNESS.

		£.	s.	d.	
The yearly money rent is	—	1420	4	9	
		B.	F.	L.	P.
The victual yearly is	—	218	1	1	2

Ross.

This bishop has paid him yearly in money,	1771	11	9
With 639 bolls, 2 firlots of bear.			

ORKNEY.

This bishop has paid him yearly in money,			
Malt, meal, bear, butter, oil, and flesh,			
when converted comes to the sum of Scots	6193	19	4

ARGYLE.

This bishop has paid yearly in total Scots,	1651	13	4
			ISLES.

ISLES.

	£.	s.	d.
The bishop of the Isles has paid him yearly, Scots,	30	37	0
Besides 96 bolls of victual.		0	0

The Archbishop of GLASGOW:

As to this archbishoprick, its fruit and yearly rent are allocate, and payable out of a multitude of distinct subjects, which therefore cannot be certainly known without taking an extract thereof from the Record, which, being very long, would consequently cost a good deal of charges: but, however, (without condescending on the particular payments and allocations) it is thought, the curious may rest satisfied to be informed; That there being a tack of the rents of this bishoprick granted by the Exchequer to the college of Glasgow, the said college pays of yearly tack-duty for the same the sum of 55 l. 14 s. 10 $\frac{3}{4}$ d. sterling.

Some

Some remarkable passages concerning the KING'S COLLEGE in OLD ABERDEEN, which was dedicated to the blessed Virgin Mary.

King James IV. and William Elphinston procured from pope Alexander VI. the privilege of an University in Aberdeen, anno 1494; and the college was founded by the said William Elphinston, bishop of Aberdeen, anno 1500, and by the said King James, as witness the inscription above the West door of college-chapel, which is as followeth:

“ Per serenissimum, illustrissimum, ac invictissimum, J. IV. R. 4 nonas Aprilis, anno millesimo quintesimo, hoc insigne Collegium latomi inceperunt ædificari.”

This chapel was richly adorned in the time of Popery, but was spoiled of all its rich ornaments in the beginning of the Reformation. It has three domes, and had twelve windows, but one of them was closed up, anno 1715. It is well paved with stones. There is an hearth in it; and the bishop's seat or pulpit is in the East end thereof, where the altar stood formerly, with the presbytery's desks on every side thereof; also in this chapel there is a middle wall of timber, and above it an excellent loft with a pulpit on the West side thereof where the priest preached; and bishop Elphinston's desk below the said loft yet remains entire.

But in the East end of the said chapel the mass was performed, where yet there are stalls and seats remaining for the prebends and masters of the college. In it likewise is the organ-loft entire; but, anno 1642, principal Guile caused take down the organ-case.

This chapel is well covered with lead, with a spire in the middle thereof, and is well built with buttresses for strengthening its walls.

Bishop

Bishop Elphinston built the steeple with buttresses; and on the top thereof were built four arches, supporting a crown, with a globe and crosses, which was beaten down by an extraordinary storm of wind in principal Leslie's time, anno 1633 (as saith Mr. Spalding in his Annals), the 7th day of February.

This stately crown, which had been built of Estlin work, was re-edified and built up again, little inferior to the first, by George Thomson, architect, anno 1634; as witnesses his name, with the said year of God, upon the West side of the said crown, which yet may be seen.

It is reported, that the masters of the college entered into a contract with the said George Thomson, to rebuild the said arches and crown for ten thousand merks Scots; but before the half of the work was built the money was spent, whereupon he desisted from building. Then the said masters put him in prison; but at last they were forced to take him out of prison, and give him daily wages while the work was performed as it now stands.

Anno 1719, the masters of the college are fearing the falling down again of this crown, which is one of the best monuments that is in the nation; whereanent they are asking advice from the King's mason what way it must be supported from falling.

Bishop Elphinston furnished the aforefaid steeple with thirteen tuneable bells, and built the most part of the fabrick of the college, as saith Boethius in the Lives of the Bishops of Aberdeen. Upon the North buttress and West end of the aforefaid chapel there is a coat of arms, which is probably one of the royal family who has married a lady out of England, as appears by the armorial coats.

Item, There are upon the buttresses of the West side of the said steeple two coats of arms; the first, towards the North, is the King of Scotland, pretty clear, viz. the red lion, and the two supporters

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are two unicorns, with the crown above; the motto above the said crown is IN DEFENCE; and the year of God above all, 1509.

The other coat of arms next the college-gate seems to be the archbishop's of St. Andrew's; it has a lion, with two angels for supporters, with A. S.

There is another coat of arms above the back-door of the afore-said chapel, like unto this former.

When bishop Elphinston had built the most part of the college, he called Mr. Hector Boethius, bachelor of divinity, from the University of Paris, to be principal of this college; and after he came here, the said bishop Elphinston graduated him doctor of divinity, and to that solemnity the town of Aberdeen sent over a puncheon of wine with a great many confections, or else to pay ten marks to them.

This Mr. Hector Boethius was born in Dundee, and brought up in letters in the said University of Paris; was descended from the Boeths of Panbride in Angus; for he saith in his History of Scotland, That King David II. appointed a council at Perth, and commanded all them who had done any thing for defence of the kingdom, or had their fathers slain at the battles of Duplin and Halydon-hill, to be given him in bill, that he might reward them according to merit.

At last, when they were all convened, he rewarded them with gold, silver, and jewels.

Among sundry others that were rewarded at this time, Hugh Boyes, grandfather to the said Mr. Hector, got in recompence of his father's slaughter at Duplin, the heirefs and lady of the barony of Balbride or Panbride, given to him in marriage; which barony is yet possessed by the heirs of the said Hugh. This account he gives of his own genealogy.

Gavin Dunbar, bishop of Aberdeen, built the South quarter of the college, for building of which bishop Elphinston left money;
also

also the said bishop Dunbar built the houses belonging to the prebendaries, and performed whatever bishop Elphinston left unfinished.

But because principal Boethius would not allow bishop Dunbar to place his name and armorial coat upon the South work and quarter of the college, he caused build it up roughly without good workmanship or contrivance; whereupon the masters of the college have begun to repair it.

William Stewart, bishop of Aberdeen, built the library, chapter house, vestry-house, a school, and chambers for the chaplains.

Bishop Elphinston annexed the parsonage of Stow to the college, and also the parsonage of St. Peter's, whereby the sub-principal is subcantor.

Robert Maitland, dean of Aberdeen, procured the annexation of the deanry to the college, whereby the principal thereof is now dean.

This annexation was in anno 1579.

Walter Stewart, principal, procured the annexation of the rectory of Methlick to the college, whereby the eldest regent in the college is now rector of Methlick. Bishop Elphinston died at Edinburgh. His body was embalmed and brought to Aberdeen, and was interred on the first step to the high altar in the said college-chapel, under a double black marble stone, anno 1514; and principal Boethius lies beside him, under a blue stone.

Anno 1640, Dr. William Guild was chosen principal of the college.

The first work that he began, he entered George Ronald, mason, to the Snow-Kirk, to cast down the walls thereof, and caused transport the stones to build the college-yard dykes, and to employ the hewn-work to the decayed chamber windows within the said college, whereat many people in the Old Town mur-
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mured,

mured, because of old it was their parish church, and many of their friends and ancestors lay interred in it.

Anno 1640, Mr. Robert Ogilvie, subprincipal of the college, got Mr. William Strachan's kirk at Methlick, and Mr. Alexander Middleton was chosen subprincipal.

Anno 1643, upon Tuesday January 17, the said Mr. Alexander Middleton, subprincipal, was married with Margaret Gordon, daughter to Mr. Thomas Gordon at Kathock's Mill, contrary to the foundation of the college, for he was the first regent that entered in a marriage condition in this college.

Anno 1694, the assembly gave commission to reform the college, and expel the malignants; whereupon doctor William Guild principal, (albeit he had taken the covenant at his entry without limitations,) Mr. Alexander Middleton subprincipal, Mr. Patrick Gordon and Mr. George Middleton regents, were all turned of the college, anno 1651.

Anno 1652, the principal's place was conferred upon Mr. John Row, minister in Aberdeen; and the subprincipal's upon Mr. Gilbert Rewle. The said Mr. John Row had been twenty years master of the school of St. Johnston, where he had the most flourishing school in this nation. But Mr. Andrew Cant brought him from thence to Aberdeen, anno 1641, where he underwent his trials, and thereafter was made minister of Aberdeen.

When he was principal, the foundation of the new work was laid, in the North-East corner of the college, six stories high; consisting of twenty-four chambers. The money for building this work was gotten from the masters, and other well-disposed persons, whose names are inserted in a register pertaining to the college.

Above the entry-gate of the said new work there is a free stone fixed into the wall, with the names of the masters of the college cut out upon it, viz. Mr. John Row, principal; Mr. Patrick Sandi-

Sandilands, subprincipal; Mr. John Strachan, Mr. Andrew Maffie, and Mr. William Johnston, regents.

The said Mr. John Strachan was the best scholar that ever was in the college. But the Cants and the rest of the clergy in Aberdeen had prejudice at him, because he was a royalist; and because his uncle Sir John Strachan was with King Charles II.

At last, the said Strachan was to graduate his scholars of the Magistrand class; and after he had printed his theses, and distributed them, and the day appointed for the graduation in the common-school of the college, then Mr. Andrew Cant, minister in Aberdeen, and young Mr. Andrew Cant, regent in Marischall's college, and the rest of the clergy, accused Mr. Strachan for his theses, and said he had set down Popish positions in them. But Mr. Strachan told them, he would defend all that was inserted in his theses; whereupon the diet of graduation was altered, and a new diet to be in St. Machar's church in Old Aberdeen. When the day came, there was a great confluence of gentry from all places of the country, who came to St. Machar's church. Thence came over the Cants, and Mr. Menzies, and all the rest of the clergy of Aberdeen, and with them Mr. Alexander Cant, minister of Nether-Banchory, and placed themselves in the Marquess of Huntley's loft, opposite to the pulpit; for Mr. Strachan had taken the pulpit, and no person with him but professor Douglas, who sat in the Latian, and principal Row sat alone in the college-loft.

Mr. Strachan began with a prayer, and after had a long harangue; which being ended, he invited them to impugn his theses.

Then they began to object, and he answered their arguments readily; but to his solutions they all answered *undâ voce*, which made a great confusion in the disputations. Yet learned men said, that Mr. Strachan had the better of it that day. This dis-

pute continued long; at last, when it was ended and the people dismissed, coming out of the church door, Mr. Strachan accuses young Mr. Andrew Cant, regent, for some reflecting answer he had given him in the time of the dispute, and would have trampled him under his feet, if the gentry had not interposed and taken Mr. Strachan away with them. For Mr. Strachan was a gentleman, and a pretty man both in parts and in body, and undervalued all the Cants. His father was Mr. Alex. Strachan, minister of Logie-Durno, and parson of Fetterneir.

Before the dispute, Mr. Strachan graduated his class; and the Earl of Aberdeen, who became chancellor of Scotland, was first graduated; then the rest. And immediately thereafter, Mr. Strachan dimitted in favours of Mr. George Gordon, with consent of the college, because he could not live in peace with the Covenanters. And thereafter, the said Mr. Strachan went abroad and studied physick, and was graduated doctor of physick. Then he came home to see his father and his friends; and after that he went again abroad, turned popish, and died abroad, &c.

After the said Mr. George Gordon had staid four years in the college, and graduated a class, he went abroad and studied the laws, came home, and became Laird of Haddo, President of the Session, Earl of Aberdeen, and Chancellor of Scotland, as said is.

Principal Row was a man who was well seen in the Latin, Greek, and Hebrew languages, and had great authority in the college; but, anno 1661, he dimitted his charge after King Charles II's restoration. For he was a Covenanter, and had written some things in his books against the royal family; which books were taken out of the college, and had to the cross of Aberdeen, and burnt by the hand of the hangman.

Thereafter he went to New Aberdeen, and took up a private school; for he had laid nothing up to maintain himself when he was out of place, and therefore lived by keeping the said school,
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and for the most part by charity. At last, he went to Kinellar, and staid with Mr. John Mercer, his son-in-law, and daughter; where at last he died, and was interred at the West end of the church of Kinellar, in the church-yard.

Anno 1665, Mr. Alexander Middleton, minister in Old Aberdeen, who formerly had been subprincipal, was chosen principal of the college. He was a good, honest, well-living man.

In his time the college flourished, and he caused good order to be kept therein. He was graduated doctor of divinity by bishop Halyburton of Aberdeen, 1683.

In his time the new work of the college above-mentioned was plenished within as it now remains. He continued a long time principal, till a little before his death, that with consent of the masters he resigned his place in favour of his son after-mentioned.

Then succeeded to be principal doctor George Middleton (son to Dr. Alexander Middleton aforesaid), who is a great and excellent humanist, philosopher, and divine. He was first minister at the church of Glames; from thence called to the college in Old Aberdeen, where he was five years regent; then seven subprincipal, and thirty-five principal. He was graduated doctor of divinity by the archbishop of St. Andrew's, and is a man of a singular life and conversation, qualified to be a principal in any University in the kingdom.

Anno 1716, the visitors of schools and colleges who had gotten a commission from King George for that effect, their number was twenty, but only fifteen of the said number came to Aberdeen, August 29, and year aforesaid; and did every thing by information of the presbyterian clergy and magistrates of Aberdeen; and thereafter the said visitors charged all the masters of the King's college to appear before them at Edinburgh upon the 7th of April, 1717, except doctor Urquhart, professor of physick; Mr. David Anderson,

Anderson, professor of divinity; and Mr. George Gordon, professor of languages.

At which time they deposed doctor James Urquhart and Mr. Richard Gordon, two hopeful young men, regents in the said college, and discharged the masters from the privilege of electing new regents to fill the vacancies. And then summoned all the masters against the 4th day of June, 1717, except Mr. David Anderson, to appear before them, concerning the college revenues. At which time they deposed Dr. George Middleton, principal of the said King's college, and Mr. John Gordon, civilist there. And the rest of the masters are of new suspended and summoned the third time to appear before the said visitors at Edinburgh, upon the 18th day of July, 1717.

Anno 1717, November 3, the ministers of the Old and New Towns of Aberdeen, with the magistrates thereof, entered at Aberdeen the young Laird of Troup, advocate at Edinburgh, to be civilist in the King's college, which way of entering is against the foundation of the college, and has not been practised formerly.

Anno 1717, upon the 19th of November, came Mr. Chalmers, minister at Kilwinning, to Old Aberdeen, to be principal of the King's college, and two young men with him; the one called Mr. Bradfut, and the other Mr. Ker, to be regents in the said college. And, upon the 22d of the said month, they came to the college by themselves; and said, they had presentations from King George, which the visitors had purchased to them. But, principal Middleton, and the said Mr. John Gordon, Dr. James Urquhart, and Mr. Richard Gordon, protested against them.

The new principal, Mr. Chalmers, and his new regents, summoned principal Middleton, Dr. James Urquhart, and Mr. Richard Gordon, before the sheriff, to obtain a Decreet of Ejection against them out of the college. But, in the interim, they got a Sift from
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the Lords of Session; and the action was to come before the said Lords, and from them to the parliament. But the said Mr. Chalmers went South, and got a warrant from the said visitors, to break up the chamber doors belonging to principal Middleton, and to the said Dr. James Urquhart and Mr. Richard Gordon. Whereupon the said Mr. Chalmers and his new regents, caused break up the said doors in the college, March 31, 1718.

Anno 1718, upon 17th of April, the said new principal and his regents, did chuse the Laird of Echt, elder, to be rector of the King's college in Old Aberdeen, who is a bigot presbyterian.

Anno 1718, upon the 25th of April, the said new principal and his new regents caused the sheriff of Aberdeen break up the doors of principal Middleton's lodging, which is near to the lodging, which is near to the college, and ejected his plenishing (they having gotten at last decret before the Sheriff for that effect), and for doing whereof the said sheriff was well rewarded.

Anno 1718, in the end of August, Mr. Chalmers, principal, went to London, to get an augmentation of his salary, and money to repair the college; and before he went thither, every one of the masters gave him five pounds sterling, which, with his proportion, made fifty pounds sterling, for making of his expences; and what more he should happen to be at, the masters must pay their shares thereof.

The masters were never so treated formerly by their principals.

Anno 1718, in the month of December, the masters of the college got forty-six young trees out of Mr. Mitchell's large yard chanonry, present minister of St. Machar's church in Old Aberdeen, which trees had been planted by the deceased Mr. Corse, sometime minister of said church; and the masters of the said college have planted them upon the East side of the college yard and office houses, and have planted about thirty-two trees more, near

to the threshing barn, and great way that goeth to the links, anno 1725.

Anno 1719, the 1st of June, the said principal Chalmers returned to Aberdeen from London, and told the masters, That he was obliged to fight the college, what it would need to repair it, and he should get supply. Accordingly the said principal Chalmers called tradesmen to the college, and desired them to consider how much money would be needful to repair the college, support the crown thereof, and its chapel, and the principal's lodging. At last, when the said tradesmen had sighted the college, and considered what reparations it would need; they declared it would take three thousand pounds sterling; but whether the college will get so much money from the government is uncertain.

The ivory crown of ivory flowers was made by Mrs. Lees, whose husband was a principal man of advocate Black's factory in Old Aberdeen. This crown is large, and is made up of several sorts of coloured flowers, which the students of the Magistrand class bought, and gave her sixty pounds Scots for it. It hangs yearly in the common school, in the time of graduations, and at other times in the bibliothek.

The turret and spire on the top of the new work of the said college was built, anno 1675, by David Murray, mason, and John Scott, plumber, leaded it; in which is a little room for keeping the mathematical instruments pertaining to the college.

Anno 1715, upon Candlemas-day, the South-East turret or spire at the end of the common hall of the said college, was turned down by an extraordinary great wind which happened the afore-said day.

The aforesaid bishop Elphinston built the principals two chambers, one whereof is a large room well adorned with several pictures. Also, he gave several hangings to the college, which
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are made use of at the time of graduations. These chambers are well covered with lead.

Likewise, the said bishop Elphinston built the common school and common hall of the said college, in which hall there are two folding tables for the masters and gentlemen's sons to dine and sup at; and six long old-fashioned tables for the use of the burfars to dine and sup at. But the burfars complained some years ago that they were not well entertained in the said college, therefore they got liberty to board themselves where they pleased in the town of Old Aberdeen.

There is in the said common hall a large and high pulpit of wainscot for one of the burfars to read church history at the time of dinner and supper; and when dinner and supper are ended, he reads a chapter of the Bible, and sings some part of a Psalm.

There are also in the said common hall about twenty-one pictures of several persons, hanging about the walls thereof, many of which are much defaced.

Only the picture of Queen Mary of Scotland and that of Mr. George Buchanan remain yet clear. This common hall is also covered with lead.

William Stewart, bishop of Aberdeen, built the bibliothek of the college, as witness his name upon it; and it is well covered with lead, as is said, and well plenished with books.

The office-houses were removed out of the college, and built upon the East side of the common hall, anno 1703.

The armorial coat of the King's college in Old Aberdeen is a cann with three lilies springing out of it, a book with a hand, with three salmon fishes.

The King's armorial coat is very well cut out of stone, and affixed above the entry gate of the said college.

The timber muses or little chambers at the East end of the college chapel, were built when the building of the said new work

was built, in which there is a bell that is rung at several hours, both in the day and night time; and the chimneys of the said timber muses going up through the wall of said new work, shew that the said timber muses were built with the said new work now called the square-work of the college.

The masters of the college began to build of new the South side of the college, anno 1707.

Anno 1719, principal Chalmers and his new regents pursue doctor Middleton late principal of the King's college; first, because he had kept three thousand merks of the college money dry, and had neither paid debt with it nor lent it out upon interest. Secondly, when he had the keeping of the bibliothek, there were two magistrand classes, viz. one of Mr. Black's, and another of Mr. George Frazer's, subprincipal, who had not paid in their money to the bibliothek, viz. each of them that were graduated at that time 4l. Scots. Thirdly, for going South, and spending four-hundred pounds sterling, to bring Mr. Sympson to be a regent in the said college.

However, at last Dr. Middleton was content to submit this action to two persons; the college to choose one, and he would choose another. So they chose young Echt and Dr. Middleton Afflick. and, with both consents, colonel Buchan was chosen oversman.

There was a submission drawn and signed by both parties and the arbitrators and oversman. They met at Aberdeen the first Monday of November, 1719, where the action was debated for two or three days; and Dr. Middleton made his innocency to appear of all the aforesaid things laid to his charge.

Principal Chalmers seeing that the action would go against him, instrumented young Echt that he should do nothing in that action; and also instrumented colonel Buchan that he neither should do any thing in that affair. But notwithstanding colonel Buchan pronounced the decret in favour of Dr. Middleton; and Mr.

Chalmers and his new regents will not get it reduced, as judicious men relate; and also, there were five hundred merks of failzie, contained in the said submission. But notwithstanding the said principal Chalmers raised a summons of reduction against Dr. Middleton; and caused give him a summons before the Lords of Session upon the 13th of January, to that effect; and reducing the said decret-arbital pronounced by the aforesaid colonel Buchan.

Anno 1721, in the month of January, the said principal Chalmers reduced the abovementioned decret-arbital before the Lords of Session; which was contrary to the judgment of learned men.

But Dr. Middleton hath appealed to the parliament, and the said Lords of Parliament have determined against the said Mr. Chalmers; and he is obliged to pay the failzie of five hundred merks contained in the submission.

Several years ago the lady Barns claimed the Balfield of the grammar-school of the Old Town college, as pertaining to the lands of Sunnie-Side, which lies between the canonist's gleib and the firr-hill of Sunnie-Side; concerning which Balfield there rose a great dispute between the humanist of the said college and the said Lady Barns. At last it was referred to arbitrators, &c. and the said college sued out the said Balfield to the Lady Barns for 3s. sterling in the year of sue-duty.

Anno 1720, upon the 2d of February, principal Chalmers preached first in the college chapel, where he caused all the masters of the college, with the students, and the humanist with his scholars, come to the said college chapel, and be his hearers, upon the aforesaid day of February being Monday, and resolved to preach every Monday in the said chapel. It belongs to his office to preach in the said chapel.

Mr. George Gordon entered into the college in King William's time, to be professor of the Oriental languages, and hath twelve hundred merks of the bishop's rents for his salary yearly.

Doctor Urquhart, college physician, hath set his gleib to a tenant, for which the said tenant pays yearly twenty pounds Scots, 1720.

Item, the canonist's gleib is sett to a tenant, and he pays yearly for it twenty-three pounds Scots, 1720.

Item, the humanist's gleib is sett to a tenant, who pays yearly for it forty pounds Scots (which is too much) 1720.

Item, the civilist's gleib and yard is sett to a tenant, for which he pays yearly nine firlots of bear; and the said tenant hath built a little house to himself, and upon his own expences, upon the yard dyke thereof to the street; and possesses the said gleib and yard, anno 1720.

On the seal of the said college (whereof the face is silver), is cut out the college armorial coat, with this inscription, *Sigillum Universitatis beatæ Mariæ Aberdonensis*. And with it are stamped all the seals upon white and red wax, in a white iron box; and are appended to all the charters which the masters of this college grant to their vassals. And one of the said masters, who is keeper of this seal, gets for every seal he stamps four pounds and four shillings Scots.

Mr. Chalmers, principal of the King's college, having suspended Dr. Middleton's five hundred merks of Failzie decreet by the Lords of Parliament, and ordained by them to be paid to the said doctor Middleton; this year, 1722, at the discussing of the said suspension, the Lords of Session at Edinburgh have determined in favour of the said college, and against the said Dr. Middleton, notwithstanding of the decret of the Lords of Parliament.

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Anno 1721, Dr. Middleton, late principal of the King's college, summoned Mr. Chalmers principal, Mr. Bradfut, Mr. Kerr, and the laird of Troup, younger, civilist, for turning the said Dr. Middleton, Dr. James Urquhart, regent, Mr. John Gordon, civilist, and Mr. Richard Gordon, regent, out of their places, without law or any fault; and also all the rest of the masters of the said college were summoned to appear before the Lords of Session at Edinburgh, upon the 15th of June and 22d of the same month, for first and second diets. This copy was laid on upon the 20th day of May, and year afore said. If the said Lords of the Session determine against Dr. Middleton, Mr. John Gordon, Dr. James Urquhart, and Mr. Richard Gordon; they will appeal to the parliament.

In the end of March, anno 1724, Mr. Alexander Frazer, subprincipal in the King's college Old Aberdeen, did buy the civilist's place from the laird of Troup, younger, for the use and behoof of Alexander Frazer, advocate, his son; and gives the said laird of Troup, younger, for it four thousand five hundred merks Scots.

Dr. Patrick Urquhart died on St. Thomas's even, December 20, anno 1725, in the 84th year of his age; and had been 54 years physician in the King's college of Old Aberdeen. He was a man of learning and parts; a son of the family of Meldrum, and his mother was a daughter of the Earl of Airly, &c.

The laird of Glenfarquhar in the Mearns left in legacy seven burfes to the schools at the churches of Camvey and Fordoun in the said Mearns, with rents for their maintainance. But Newton Falconer, who fell heir to the said Glenfarquhar, reduced the seven burfes at the school of Camvey and Fordoun before the parliament of Great Britain to four burfes. Also, he hath reduced the seven burfes at the King's college, before the said parliament, to four burfars. Each of the said four burfars at the King's college have yearly 80l. Scots. The said Newton Falconer, to free himself entirely

tirely of the said four burfars at the King's college, provided the stock of the said burfars money, and configned it into the treasurer of Montroffe's hands upon Martinmas day, anno 1722, which money was about ten thousand merks Scots.

Anno 1723, this year there is no college table kept in the college of Old Aberdeen; the like has not been these many years bygone, for this year there are no gentlemen's sons of distinction at the college.

Anno 1723, Mr. Frafer, who resided at London, and is a director of an hospital there, came this year to the King's college in Old Aberdeen, and gifted the masters of the said college some boxes with books; and also gave them 50l. sterling in bank notes. Item, the same Mr. Frafer is a great benefactor to the King's college in Old Aberdeen. He gifted to it other 500l. sterling, making in all with the aforesaid 50l. and another 50l. sterling 600l. and is to give 100l. every year that he lives. Item, he hath founded three burfars in the said college, viz. two for philosophy and one for divinity. Each of the burfars of philosophy gets yearly 54l. Scots. The burfar of divinity gets yearly 8l. sterling, and also is keeper of the library of the said college, for which he gets an half hour's entertainment at the college table.

The South side of the college was rebuilt from the common-hall (except a room length next the stair, as people pass up to the principal's chamber); it was perfected and leaded, anno 1726.

Dr. Gregory was immediately after Dr. Urquhart's death admitted physician in the King's college, anno 1725; and the said Dr. Gregory hath repaired his lodging belonging to the college. anno 1727; and hath built to it a toofall, for giving it a better entry to the rooms than it had formerly, in which toofall he hath a little room for a study, and a little room below it beside the stair-case. He hath also repaired the garden dyke, and hath begun to enclose his gleib, a part whereof he hath enclosed with a stone dyke,

dyke, and planted it within the aforefaid year, and hath enclosed the reft of his aforefaid gleib this year 1728.

The aforefaid Mr. Frafer at London, who is rector of Kelfay college this year 1727, hath given the mafters of the King's college another 100l. fterling, which makes in all, with what he had formerly given, 700l. fterling.

Memorandum. The new college of St. Andrew's was accidentally burnt about the 20th of January, 1727, and Mr. Haddan, profeffor of ecclefiastical hiftory, was burnt in it.

King James IV. was the firft who wrote Latin (of modern princes) with majefty and eloquence; the firft of thofe excellencies was owing to that grandeur of his own genius, and the fublimity of his thoughts; but the purity of the language and elegance of the ftile muft be afcribed to the accurate pen of his fecretary Mr. Patrick Ponter, abbot of Cambuskenneth, as faith Dr. Abercromby.

The œconomus of the King's college in Old Aberdeen hath yearly from the procurator of the faid college 112l. of money, alfo fix bolls of bear and fix bolls of meal, with four ftones of butter.

The janitor hath yearly from the college 24l. Scots money, and 24l. money aforefaid, to hire an houfe for himfelf. Item, he hath twenty fhillings Scots from every burfar, and two fhillings and fix pence fterling from libertines. Alfo, he hath the mafter's gratuity at New-Year's day; Item, the gratuity which noblemen and gentlemen give him who come to vifit the college, before whom the faid janitor carried the fceptre.

The fubjanitor is the college officer, who gets yearly from the procurator of falary, two bolls of meal and 3l. Scots, to buy fhoes to himfelf, and for that muft go through three parifhes, viz. Old Machar, New Machar, and the parifh of New Hills, and gather in their rents and dnties. He hath alfo one fhilling fterling from
every

every student who is a libertine, with some gratuity from the masters of the college at New-Year's day.

The cook of the said college had a croft in former times lying upon the South side of the mercate gate as people pass by the mortar hole.

This croft would sow fix firlots of bear; but it is a long time since this croft was taken from the cook.

The sacrist in the college in the time of popery was a priest and in holy orders, who kept the vestry, and took care of the bells.

Now the janitor of the college doth assume that title to himself, without any ground or authority.

Patrick Forbes of Corse and minister of the gospel at the church of Keith, who was advanced to be bishop of Aberdeen anno 1618; he and the synod of Aberdeen provided money of their own, and brought the lands of Cavintrallion and Scotsmill; reckoned eight chalders of meal, bear, and money, to be a salary for a professor of divinity in the King's college of Old Aberdeen; which lands lie within the parish of Kinnelar, and the sheriffdom of Aberdeen.

Here follows a list of of those gentlemen who have been PROFESSORS OF DIVINITY in the KING'S COLLEGE of OLD ABERDEEN.

The first professor was Dr. John Forbes, son to the said Patrick Forbes, bishop of Aberdeen. He was born May 2, 1593. After he had learned the grammar authors, he was put to the college of Old Aberdeen, anno 1607, where he studied philosophy, and thereafter went abroad to the Protestant University of Heydelberg in Germany, under the care of Dr. Paræus the famous theologus, and also to other Universities there, where he studied divinity, the Hebrew language, and the writings of the fathers, &c.

He

He returned home, anno 1619. The same year, at the time of a synod in Aberdeen, he is called to be professor of divinity in the said college.

He was examined upon several theological heads by Dr. William Forbes, dean of faculty, and sustained a dispute anent his theological theses, with applause of all of the clergy; and the same year on the 27th of April, he is declared professor of divinity in the said college. Several years thereafter he was called to be professor and minister of Aberdeen.

The second professor of divinity in the said college was Dr. Andrew Strachan (after Dr. Forbes was called to Aberdeen); he had been a regent in the said college, and after was called to be minister at the church of Logie-durns, alias called the chapel of Garrioch; from thence he was called to be professor of divinity in the said college.

His brother Mr. Alexander Strachan succeeded him to the church of Logie-durns, anno 1635. The said Dr. Andrew, when he came to Old Aberdeen to be professor of divinity, lived in this post little above a year, while he died, and left his books to the library of the said college. *Erat homo de literis, & literatis optime meritis.*

After the death of the said Dr. Andrew Strachan, the aforesaid Dr. John Forbes was called back again to be professor in the said college, where he remained till the covenanters declared his place vacant anno 1643, because he would not sign the covenant. He bought the lodging in the chaplain's for the use of a professor of divinity. He was a learned and an excellent scholar, as his writings do testify. He went to Holland anno 1644, where he staid two years, and returned anno 1646, and lived piously at his own house of Corse, where he died anno 1648, and is interred in the church yard of Leuchil.

The third professor of divinity, after Dr. Forbes's place was declared vacant, was Mr. William Douglas, minister of Forgue, chosen by the covenanters to be professor of divinity in the King's college. He was reckoned a great man among the covenanters, next to Mr. Alexander Henderson. He entered to be professor about the year 1644, and continued till Charles the Second's restoration, and then he joined the episcopal party, and kept his place. He had been sixteen years minister at the church at Forgue, and thereafter was professor of divinity in the King's college twenty-two years. He was well acquainted with the writings of the fathers, and a great disputer in the schools at graduations. He died anno 1666. He lies interred in the church yard of St. Machar's church, under a grave stone upon the South side of the said church, with an inscription upon the stone.

After the death of the said Mr. William Douglas, the professor's place was vacant the space of eight years.

The fourth professor that succeeded was Mr. Henry Scougal, son of Mr. Patrick Scougal, bishop of Aberdeen; he had been four years regent in the King's college, and thereafter was one year minister at the church of Auchterless; from whence he was called to be professor of divinity in said King's college. His Theological thesis was *De objecto cultus religiosi*, at his admission, anno 1674. He continued to be professor the space of four years. He died anno 1671; and of his age 28. He left his books to the library of the college, and five thousand merks to the office of a professor of divinity in the said college. He lies interred in the college chapel on the North side thereof, opposite to the high altar now called the bishop's seat or desk; with an inscription upon the wall above his grave; viz.

Memoriæ Sacrum.

“ Henricus Scougal, reverendi in Christo patris, patricij, episcopi Aberdonensis, filius; philosophiæ in hac academiâ regiâ per quadriennium, totidemque annis, ibidem theologiæ professor: ecclesiæ in Auchterless uno anno interfite pastor. Multa in tam brevissimo curriculo didicit, præstitit, docuit. Cœli avidus & cœlo maturus obiit Anno Dom. M D C L XXVIII. Ætatis suæ xxviii. Et hic exuvias mortalitatis posuit.”

Thereafter the office of professor of divinity was vacant about two years.

The 5th professor that succeeded was Dr. James Gairden, the son of Mr. Alexander Gairden, minister of the gospel at the church of Forgue. The said Dr. James was first minister at the church of New Machar; and thereafter at the church of Bombie in Fife; and was called from thence to be professor in divinity in the King's college of Old Aberdeen, anno 1681. His theological theses was *De gratiæ efficacîâ*. He performed the office and duty of a professor with great applause; and continued in the said office until he was put from his post about the beginning of the late Revolution by the presbyterians, anno 1697, though he was a learned, devout, and religious man, and of a circumspect life and conversation.

Afterwards he lived peaceably and quietly, serving God in his own family. At last he died in Old Aberdeen, April 8, 1726, about the 80th year of his age, and was interred upon the 11th day of the said April in St. Machar's church yard, near to the South-East dyke thereof, opposite to Dr. Middleton's brick house, which stands at the East end of bishop Gavin Dunbar's isle.

After Dr. James Gairden was put from his place, the office of a professor of divinity in the said college was sometime vacant.

The 6th and first presbyterian professor of divinity in the King's college, since the late Revolution, was Mr. George Anderson, mi-

nister of the Gospel at Tarves. His theological theses at his admission was *De prædestinatione*, anno ——. He remained not long in office; he died anno ——, and is interred in St. Machar's church-yard, upon the South side, near to Mr. William Strachan's grave stone.

The second and seventh presbyterian professor of divinity in the King's college, is Mr. David Anderson, who was minister of the Gospel at the church of Foveran. His theological thesis at his admission was *De peccato originali*, anno 1711; he is yet living, and possesses the place of professorship this year 1726.

Anno 1727, the said Mr. David Anderson was made one of the King's chaplains, for which he is to get yearly fifty pounds sterling.

Here follow the MORNING and EVENING SERVICE of the CATHEDRAL CHURCH, which were composed by Mr. HENRY SCOUGAL Professor of Theology in the King's college.

The MORNING PRAYER.

Great and glorious Lord God, maker of heaven and earth, and ruler of angels and men, who art infinitely exalted above the highest of our thoughts; look down from thy heavenly dwelling-place, and behold in mercy thy poor creatures, who are here humbled before Thee, to adore and worship thy Divine Majesty; to acknowledge our sins, and beg thy mercy and favour; to learn our duty from the word, and be further engaged to thy service and obedience. Raise our souls unto thyself, O God; and bow down thy gracious ears to hear our prayers. Let the words of our
 7 mouths,

mouths, and the meditations of our hearts, be acceptable in thy sight, O Lord, our Strength, and our Redeemer. Unworthy are we, alas! to come into thy presence; or to take thy holy name in our mouths, being the wicked offspring of sinful parents, strongly ordained to that which is evil, and averse to any thing that is truly good.

We have erred and strayed from thy ways like lost sheep. We have followed too much the devices and desires of our own hearts. We have offended against thy holy laws. We have left undone those things which we ought to have done; and we have done those things which we ought not to have done; and there is no health in us. But thou, O Lord, have mercy upon us, miserable offenders. Spare thou them, O God, which confess their faults. Restore thou them that are penitent; according to thy promises declared unto mankind in Christ Jesus our Lord. And grant, O most merciful Father, for his sake; that we may hereafter live a godly, righteous, and sober life, to the glory of thy holy name, and the salvation of our own souls. Preserve us, we beseech thee, from every thing that is displeasing in thy sight; and let never the temptation of Satan, the allurements of the world, or the corrupt custom, or bad example of those we live amongst, so far prevail with our evil hearts, as to draw us into those sins which may dishonour Thee, or wrong our neighbours, or wound our own consciences. Keep us, O Lord, from neglecting thy worship, or profaning thy holy ordinances; from abusing thy mercies, or murmuring at any of thy providences; and from that grievous sin which doth so much every where abound, the taking of thy holy name in vain. Work in us an utter detestation of all fraud and deceit, all malice and envy, all strife and contention, all slander and backbiting, that we may never do or wish any evil to others, nor delight to speak evil of them; let us never deface thy image, nor grieve thy holy spirit, by pride, passion, or discontent;

tent; by gluttony, drunkenness, or uncleanness, or any of those filthy vices whereby the greatest part of the world are carried headlong into perdition. But teach us so to obey thy holy laws, and follow the perfect example which the Lord Jesus has given us, that we may assure to ourselves an interest in that everlasting happiness which is the purchase of his precious blood. To this end, bless us in reading and hearing thy holy word; that it may instruct our judgments, and affect our hearts, and rule our lives, through Jesus Christ our Lord. Amen.

After reading the Holy Scriptures, followeth the decalogue, and this prayer:

All honour, praise, and glory be ascribed to thy Divine Majesty, O God, our Creator, Redeemer, and Comforter, by us and all reasonable creatures; for thy infinite perfections, which we can never comprehend; for the creation, and that wise providence whereby Thou rulest and governest the same; for all thy mercies we have met with since we came into the world; that thou hast preserved us from so many evils, and bestowed so many good things upon us. We bless Thee for our health and strength, for our food and raiment, for all the means of our subsistence, and comforts of our life. That it hath pleased Thee to preserve us, and our habitations, this bygone night from fire, violence, and every evil accident; and to bring us in safety to the beginning of this day. But above all, we adore and magnify Thee, for that infinite mercy thou hast declared unto mankind, in Christ Jesus our Lord; for the example of his holy life; for the merit of his bitter death; for all the means of grace, and for the hopes of everlasting glory. But what are we, to set forth thy praise! Let the people praise thee, O God; yea let all the people praise thee. Make thy ways known upon earth, thy saving health among all nations; that from the rising of the sun, to the going down thereof, there may

may be an holy and acceptable sacrifice offered unto thee. Open the eyes of the blind Jews. Bring-in the fulness of the Gentiles. Deliver the world from Popish superstition, and the carnal delusion of Mahomet, and every thing that may hinder the progress and power of this everlasting Gospel, by which we are taught to pray unto Thee.

Inspire thy universal church with the spirit of holiness and love; and grant unto all Christian kings, princes, and governors, a large measure of wisdom and grace, that they may be both able and willing to advance the great interest of piety and religion.

Endue our sovereign the king with the spirit of counsel and judgment; make him happy in wise and faithful counsellors, in loyal and peaceable subjects, and in the good success of all his enterprises, for thy glory, and his people's tranquillity.

Bless all our rulers and magistrates, that judgment may run as a river, and righteousness as a mighty stream.

Illuminate all the bishops and pastors of thy flock, that they may feed the people with knowledge, and lead them in the ways of righteousness.

Comfort the afflicted; relieve the poor; heal the sick and diseased, especially those recommended to the aid of our prayers.

Grant that all men in every condition of life may be contented, bettered, and amended.

Bless us with seasonable weather, that the earth may yield her increase, and the people be satisfied with bread.

Bless all our friends and neighbours. Reward those that have done us good; and pardon all those that have done us evil. Take care of us, and all our interests, throughout this day; guide us by thy holy spirit, and guard us by thy watchful providence; and suffer no evil to come in near our dwelling. Bless us in our out-going and in-coming, and establish the work of our hands.

Above

Above all, enable us to do something for thy glory, and the salvation of our souls; and grant that we may return with our hearts full of love and thankfulness to thee, in the Evening; to praise and magnify thy continued favour towards us. And when those few days and nights which we are to pass in this wretched and sinful world shall come to a close, conduct us, O most merciful Father, unto that everlasting blessedness which was purchased by the blood of our glorious Redeemer; by whom we are encouraged to address ourselves unto thee; and in whose most holy words we close our imperfect prayer, as he hath taught us, saying, *Our Father, &c.*

THE EVENING SERVICE.

Almighty and eternal God, who dwellest in the highest heavens; and humblest thyself to behold the things that are done on the face of the earth; we are assembled together in thy sanctuary to offer our Evening sacrifice unto thee; but we may be justly ashamed at the thoughts of thy glory, and afraid to present ourselves before so great and holy a Majesty; even that abounding grace that invites us to thee, may make us blush and cover our faces for shame, when we reflect on our base ingratitude to too much undeserved love. It was thou who madest us, and not we ourselves; and thou sent us thy Son for to die for us, and offerest us the assistance of the Holy Ghost, to bring us unto thyself; but we have not paid that honour and service which we owed unto thee our Almighty Creator; nor valued as we ought that great Salvation purchased for us at so dear a rate; nor duly followed the godly motions of thy Holy Spirit. We have many times neglected the duties of thy worship, and profaned thy holy ordinances; we have abused thy mercies, and murmured against thy rods,

rods, and seldom set thee before our eyes; and whereas thou hast commanded us to love our neighbours as ourselves, we have also been very injurious to them by evil counsel and bad example, by prejudging their interest and wronging their reputation, by doing them hurt or neglecting to do them good.

And though we were made for no meaner happiness than the enjoyment of thy blessed self, yet we have set our hearts too much on worldly pleasures and enjoyments; and instead of that moderate use of thy good creatures which thou art pleased to allow us, have abused them by excess unto the prejudice of our souls.

Thus, Lord, we have sinned against our own knowledge and our vows, against thy promises and threatenings, and all the gracious methods thou hast used to reclaim us, and do thereby deserve thy wrath and all the dreadful effects of it as the just recompence of our offences.

Nay, we acknowledge, O God, the very sins of this day were enough to condemn us, for we have done little good and much evil since the beginning of it; our thoughts have been vain and trifling, our words foolish or sinful, our actions for the greatest part either evil or to little purpose, and though we be one day more nearer our graves, we have made little progress unto that work for which thou hast sent us into the world; and now while we are confessing these things unto thee the little sensibleness of our hearts brings new accusations against us. Oh! how just were it with thee that we should lament these follies and sins unto all eternity, which we now confess with so little grief and bitterness of spirit!

But though we are among the chief of sinners, yet thou art our Creator, and we the workmanship of thy hands; yea thou art our Redeemer, and we thy people whom thou hast bought; and we desire to forsake the evil of our ways and turn to thee the Lord our God from whom we have gone so far astray. Have mercy

B b

upon

upon us, therefore, O most merciful Father, for thy goodness sake, and for the merits of the Lamb of God that takes away the sins of the world, blot out all our iniquities. By his agony and bloody sweat, by his death and bitter passion, by all that he hath done and suffered for us, deliver us from the guilt of our sins and the power of our corrupt affections, and work in our souls an utter detestation of every evil way. Enlighten our minds with true knowledge; purify our hearts with a lively faith and hope. In-flame our souls with a zealous affection towards thee and love towards all men for thy sake, that it may be the greatest delight to advance thy honour and glory, and do all the good we can to those amongst whom we live. Make us humble and lowly in our own eyes, meek and patient in our conversing with others; never doing wrong to any, and being ready to pardon the greatest injuries done to ourselves. Teach us to be submissive to all thy dispensations, and cheerful and well content in every condition thou shalt be pleased to carve out unto us. Make us sober and temperate in all our enjoyments, pure and chaste in all our affections and behaviour, watchful against every temptation, and diligent in the performance of all our duties. Let the life of the Holy Jesus be always in our thoughts and before our eyes, that, being in love with all those excellent graces which shined in his blessed soul, we may never cease our endeavours, till the image of our Lord and Saviour be fully formed within our hearts. And grant, O most merciful Father, that the reading and hearing of thy holy word at this time may help thus thereto; and let the glory of all redound unto thee, through Jesus Christ our Lord. Amen.

The EVENING PRAYER,

After the reading the *Te Deum Laudamus*.

“ We praise thee, O Lord, we acknowledge thee to be the Lord,” &c. to this sentence, “ Govern them, and lift them up for ever.” Let peace be to our mother Sion, and let them prosper that love her and seek her good.

Bless and protect our sovereign lord the king. Establish his throne in righteousness, and let the crown flourish on his head. Bless his queen and brother, and all his royal relations. Let the lord of his majesty’s privy council, the senators of the college of justice, and all inferior judges and magistrates be so directed and assisted by thy grace, that we may live quiet and peaceable lives in all godliness and honesty.

Send down upon thy servants the bishops and pastors of thy church such a plentiful measure of thy holy spirit as the weight and difficulty of their work doth require, and let them see of the fruit of their labours, and for a perpetual succession of those who may serve thee in church and state. Bless all schools and seminaries of learning, especially the University of this place; and prosper the labours of masters and scholars, that piety and knowledge may flourish therein. Be gracious to all ranks and conditions of men, and bless them with true piety, and with endowments suitable to their callings, and let success accompany their lawful endeavours; and as thou hast commanded us to remember in our prayers the troubles and necessities of others, so we humbly entreat thee to look down with compassion on the necessities and calamities of mankind, and pity the works of thy hands. Have mercy, Lord, on ideots and fools, all mad and distracted persons, and supply the

want of their reason by the conduct of thy Providence and assistance of thy divine wisdom.

Speak peace to wounded consciences, and grant them the joy of thy salvation, so as the bones which thou hast broken may rejoice. Visit those whom hast cast on the bed of languishing, especially those that are recommended to the aid of our prayers. Send a happy deliverance to women travelling in child birth; and be near unto such as are drawing near the gates of death.

Comfort all those that are afflicted by loss of friends or any disastrous accident. Hear the cries of the poor, the sighs of the prisoner and captive, and the groans of all that are oppressed.

Be a father to the fatherless, a husband to the widow, a guide to wandering travellers, a pilot to those that go down to the deep, and when any do cry unto thee in their troubles hear and deliver them out of their distress, that with hearts full of thankfulness they may praise the Lord for his goodness, and for his wonderful works to the children of men.

Be mindful of all them in whom we are nearly concerned, all our friends and relations, all our neighbours and acquaintances, all our well-wishers and benefactors. Pardon and forgive our enemies, persecutors, and slanderers. We bless thee for that gracious providence whereby thou hast protected and maintained us through the bygone day; and we commend ourselves and all we have to thy fatherly goodness and care through the darkness of the night, that when we cannot take care of ourselves we may rest safely under the shadow of thy wings, and thou, O Lord, may'st sustain us. Defend us graciously from fire and violence, and all the powers of darkness, and raise our spirits, together with our bodies, in the morning, to such a vigorous sense of thy continued goodness, as may stir us up to serve thee with unwearied diligence all the day long.

These

These things, and whatever else thou knowest needful and expedient for us or for others, we beg in the name and words of thy Son our Saviour, &c.

At the beginning of the late Revolution the aforefaid Morning and Evening Prayers were taken away by some Presbyterian men in Old Aberdeen.

*** Dr. Henry Scougal's admirable practical treatise on "The life of God in the Soul of Man, or the nature and excellency of the Christian Religion," was first printed in his life time by bishop Burnet about 1677 without a name, which the author's modesty studiously concealed. It went through several subsequent editions and was patronized by the society for promoting Christian knowledge, and was reprinted 1726 with the addition of nine discourses on important subjects by the same author, and his funeral sermon by Dr. G. G.

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B I B L I O T H E C A
T O P O G R A P H I C A
B R I T A N N I C A,

N° XLVII.

CONTAINING

MARTIN'S HISTORY and ANTIQUITIES of ST. RULE'S CHAPEL;

With REMARKS by Mr. Profeffor BROWN.

TO WHICH ARE ADDED,

- I. The Riding of the PARLIAMENT of SCOTLAND in 1606 and 1681; and the Ceremonials observed in 1685.
- II. The Statutes and Fees of the Order of the THISTLE, &c.
- III. The Suspension of LYON King of Arms.
- IV. A particular Description of the REGALIA of SCOTLAND.

[PRICE TWO SHILLINGS.]

AMONG the various Labours of Literary Men, there have always been certain Fragments whose Size could not secure them a general Exemption from the Wreck of Time, which their intrinsic Merit entitled them to survive; but, having been gathered up by the Curious, or thrown into Miscellaneous Collections by Booksellers, they have been recalled into Existence, and by uniting together have defended themselves from Oblivion. Original Pieces have been called in to their Aid, and formed a Phalanx that might withstand every Attack from the Critic to the Cheesemonger, and contributed to the Ornament as well as Value of Libraries.

With a similar view it is here intended to present the Publick with some valuable Articles of BRITISH TOPOGRAPHY, from printed Books and MSS. One Part of this Collection will consist of Re-publications of scarce and various Tracts; another of such MS. Papers as the Editors are already possessed of, or may receive from their Friends.

It is therefore proposed to publish a Number occasionally, not confined to the same Price or Quantity of Sheets, nor always adorned with Cuts; but paged in such a Manner, that the general Articles, or those belonging to the respective Counties, may form a separate Succession, if there should be enough published, to bind in suitable Classes; and each Tract will be completed in a single Number.

Into this Collection all Communications consistent with the Plan will be received with Thanks. And as no Correspondent will be denied the Privilege of controverting the Opinions of another, so none will be denied Admittance without a fair and impartial Reason.

* * * This Number contains THREE PLATES; viz.

- | | |
|---|---------|
| I. North West View of ST. RULE'S STEEPLE. | p. 193. |
| II. The SEAL of ST. RULE'S. | 194. |
| III. North East View of ST. RULE'S. | 199. |

THE
HISTORY AND ANTIQUITIES
OF
ST. RULE'S CHAPEL,
IN THE
MONASTERY OF ST. ANDREW'S, IN SCOTLAND.

BY MR. GEORGE MARTIN OF CLARMONT.

WITH

REMARKS BY MR. PROFESSOR BROWN.

TO WHICH ARE ADDED,

The Riding of the PARLIAMENT of SCOTLAND in 1606, and 1681;
and the Ceremonials observed in 1685.

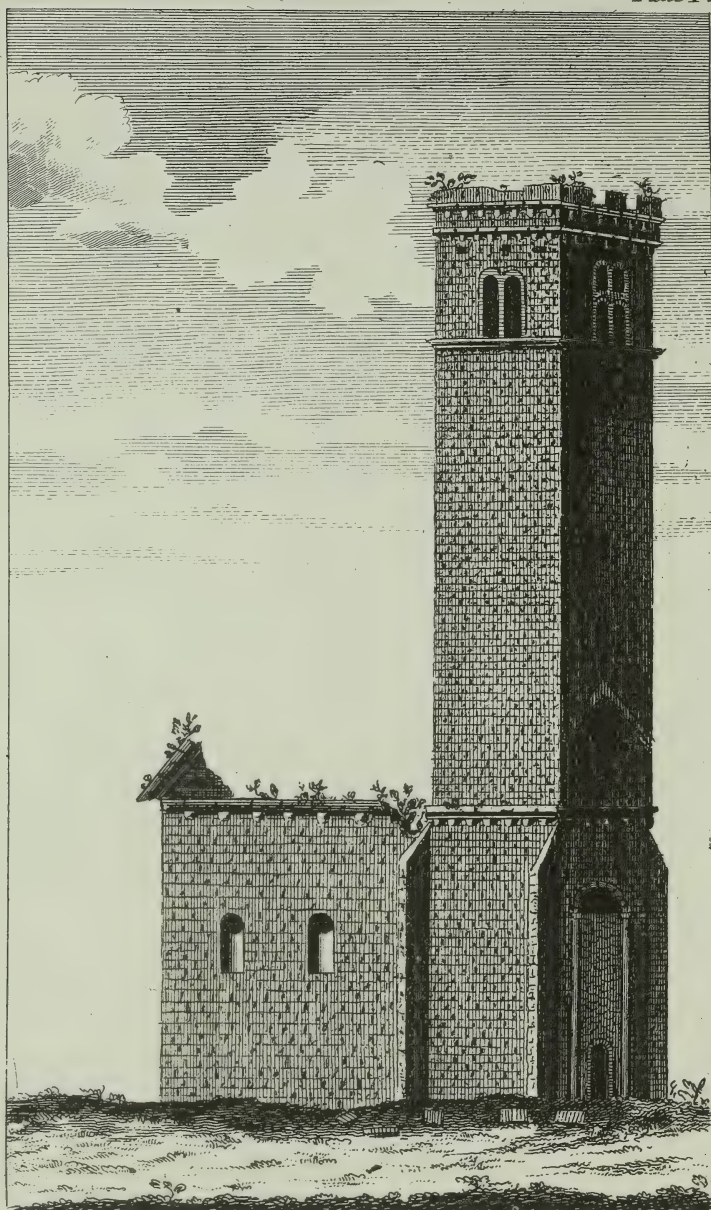
The Statutes and Fees of the Order of the THISTLE, &c.

The Suspension of LYON King of Arms;

And a particular Description of the REGALIA of SCOTLAND.

L O N D O N,
PRINTED BY AND FOR JOHN NICHOLS;
PRINTER TO THE SOCIETY OF ANTIQUARIES.

MDCC LXXXVII.



*N. W. Prospect of the Ruins of the Chapel & Steeple
of S.^t Rule, at S.^t Andrews taken in 1776.*

Extract from MR. GEORGE MARTIN of Clarmont's MS. of
 "Reliquiæ Divi Andreae," written 1685, Chap. 10. Sect. 4.
 intituled, "Of the Buildings in and about the Abbay or
 "Monastery of St. Andrews."

"AS to the buildings of the Monastery of Saint Andrew's,
 before the Reformation, they were many, and some of
 "them stately and magnificent, almost all of them now ruined.
 "The most antient of them was, St. RULE's* Chapel, called *Vetus*
 "*Ecclesia*, or *Vetus Templum*, a little, but handsome, antique
 "edifice. The walls yet stand, and, as is commonly believed,
 "it was built near the end of the IVth century by Hergustus
 "King of the Picts, in REGULUS's days. It is built of a good,
 "large, free stone, bigger than any of the rest of the buildings
 "about the monastery. The chapel is built on the east end of
 "the steeple, and struts and projects out upon it about 2 feet;
 "which strutting, with the allowance of the thickness of the east
 "gavel of the chapel, makes the chapel to be in length with-
 "out the walls $31\frac{1}{2}$ feet, the breadth 25 feet; within walls the
 "length of the chapel is only 26 feet, and the breadth 20 feet.
 "It is good *aïslar* † work, and there are about 21 stones in the
 "height, which yet will be near 21 feet. There are in it 4
 "windows in the side walls, 2 to the south, and 2 to the north,
 "exactly corresponding and over against other; the *sole* ‡ of each

* The Abbot St. Rule was fainted or canonized Oct. 17, Anno Christi 368.

† *Aïslar*, or *Afblar*, is a term in architecture, that signifies work made of com-
 mon or free stones as they come from the quarry, of different lengths, breadths,
 and thicknesses; the thickness commonly 9 inches: here it seems it was the
 French foot.

‡ The window seat.

“ *window* is about 12 feet from the ground; the height of the
 “ window is about 5 feet, and breadth $1\frac{1}{2}$ foot. The chapel
 “ hath a door to the east about 24 feet high, and hath been
 “ above 9 feet wide. Just opposite to the east door in the body
 “ of the steeple is another door on the west, of the same dimen-
 “ sions; but this last has been built up, and only a lesser door
 “ and entry left of 6 feet high, and 4 in breadth. The chapel
 “ hath had at several (*i. e.* different) times 3 roofs, as appears
 “ by the *raggling** on the body of the steeple eastward. It hath
 “ been a place extremely well contrived, and fitted for devotion
 “ and religious offices, and of old had a small neat turret on the
 “ east gavel, fallen long ago.

“ St. RULE’S steeple †, commonly called the four-nooked (*i. e.*
 “ cornered) steeple, stands close adjoining to the chapel, making
 “ up the west gavel thereof, built at or near the time the chapel
 “ was built. It is a piece of notable architecture, and is an equi-
 “ lateral quadrangle, each side being 20 feet without; it is
 “ strongly built, 103 feet in height, and, I remember, was well
 “ bound and strengthened within with great oak-branders from
 “ the top near to the bottom, which are now gone and destroyed,
 “ for some 30 feet down from the top, upon which stood of old
 “ a very sloping spire, not high. This steeple seems to have
 “ been of old of good esteem; for the chapter had for their
 “ ensign armorial, this steeple, with the chapel in the east, and
 “ another on the west side of it, in one entire work, and had the
 “ *icon* of these three all joined in one body ‡ upon their common
 “ seal, without any thing beside, but a pot, or cornucopia, some
 “ mallets, and flourishing; and the circumscription was, *Sigillum*
 “ *Ecclesiæ Sancti Andreae Apostoli in Scotia*. From the figure of

* *Ragglings*, or *Raddlings*, the bowings-in or copeings of the walls.

† See plate I.

‡ See plate II.

“ the:

“ the seal, which is acutely oval, and the print and graving on it,
 “ and the ragging on the body of the steeple, it is evident and
 “ certain, that there was also a little church on the west end of the
 “ steeple, close and contiguous thereto, but less and shorter than
 “ St. RULE's chapel, and steeper in the roof, but now quite demo-
 “ lished, and nothing more known thereof, but that it hath been,
 “ and was much higher than St. Rule's. It had on the west
 “ a pretty turret, with a door to the south, beside the west
 “ entry. The steeple itself is yet in good case, except as to
 “ the binding branders above-mentioned, which of late are
 “ much decayed, yea, and sacrilegiously embezzled.”—Thus far
 Mr. Martin.

REMARKS by the Rev. W. BROWN, Professor of Ecclesiastical
 History in the University of St. Andrew's.

MR. MARTIN, and indeed almost all our Scottish writers, have, with some small variations, adopted the legend mentioned by FORDUN, *lib. ii. cap.* 58, 59, and 60, of his “ *Scoti-chronicon*,” which it is impossible to read (and in particular his 58th chapter, where he endeavours to confer on the Apostle Andrew a preference to the Apostle Peter) without being convinced that his great object was to elevate the church of Scotland, particularly the church at St. Andrew's, to a degree of patronage inferior to no other. This was considered as a matter of great consequence, after the impious and absurd opinion became prevalent, that apostles, martyrs, and saints departed, were objects of adoration, and, like the heathen local tutelary deities, vouchsafed special protection to such as put themselves under their particular patronage, and whose devotion towards them was most fervent and zealous. From this opinion the minds of men easily slid into a belief, that to preserve the body, or any of its fragments, could

not but be highly acceptable to the apostle, saint, or martyr it belonged to, and a most likely mean of gaining and securing his protection. Hence the relicks of apostles, saints, and martyrs, or what were believed to be so, were sought after with avidity, were purchased at immense prices, and were preserved, when procured, with anxious watchful attention. Churches were erected over their sepulchres, and in those places where such of their remains, as had not been committed to the grave, were intended to be lodged for preservation; and that church in which the remains of any particular saint were lodged was believed to attract his greatest attention. Of course that church whose patron was considered as most powerful was held in highest estimation, and most frequently resorted to.

But these opinions, and the practices consequent upon them, though almost universally prevalent in Mr. Fordun's time*, the Christian church was unacquainted with, in the end of the fourth century, the period he pitches upon for St. REGULUS's transportation of the apostle Andrew's relicks from *Patræ* in *Achaia*, to the city of St. Andrew's in Scotland.

DALLÆUS, in his book "*De Objecto cultus religiosi*," lib. 4. and Bingham, in his "*Ecclesiastical Antiquities*," lib. 23. cap. 14. have adduced the most convincing evidence, that at this period no worship whatever was offered to the relicks of apostles, saints, or martyrs; that to bury them was considered as the mark of respect most proper to be put upon them; and that to make merchandize of them, or to spoil their sepulchres in order to obtain them, was deemed sacrilege, and as such punishable with the greatest severity by the laws both of the church and state. Had, therefore, either the Emperor Constantius, in open contempt

* FORDUNUM ipsum ultra annum MCCCLXXXVI. superstitem fuisse nondum reperimus. GOODAL.

of these laws, broke into the sepulchre of the apostle Andrew at *Patra*, and by force of arms carried off his bones to Constantinople; or REGULUS and his companions been so daring as to pilfer part of them out of the gold and silver shrines into which they had been deposited by the Emperor's orders*; it is not credible that these facts, all of which Mr. Fordun gravely narrates, should have escaped the notice of all the contemporary writers still extant. But, without mentioning several other improbable circumstances with which Mr. Fordun has embellished his narrative, it appears pretty evident, that, from a legend so fabulous, no conclusion can be drawn sufficient to determine, with any degree of certainty, either the time when St. RULE's church in St. Andrew's was founded, or who was its founder.

* It does not affect the validity of this reasoning; but certainly Mr. Fordun does *not* say that REGULUS pilfered the relicks of the saint from the gold and silver shrines wherein his bones are said to have been deposited by *Constantius*, in the 20th year of his reign.

According to Mr. Fordun, the remains of St. Andrew were in the custody, and under the care, it seems, of REGULUS, before they fell into the hands of *Constantius*. The parts which REGULUS secreted from them, he took from the *sarcophagus* at *Patra*, two days before Constantius got possession of the *scrinium*, which by his orders was conveyed with decent veneration to Constantinople, where he placed it, or the *reliquia* it contained, *the cis aureis & argenteis summo cum honore*.

To spare the reader the trouble of turning to the book, the substance of Mr. Fordun's short uncircumstantial account of REGULUS is given here.

“ Accidit autem ut divino nutu, *tertia nocte* antequam Imperator civitatem esset ingressus, angelus Domini cuidam sancto viro timenti Deum abbati, nomine REGULO, *reliquiarum* appareret custodi, dicens; *Applica tibi fratres idoneos, et pergens ad sarcophagum quo beati Andreae reposita sunt ossa, tolles inde dextrae manus tres digitos, et os brachii dependens ab humero, et genu patellam, ac ubi monstravero caute custodias donec redeam.*”

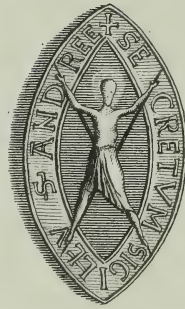
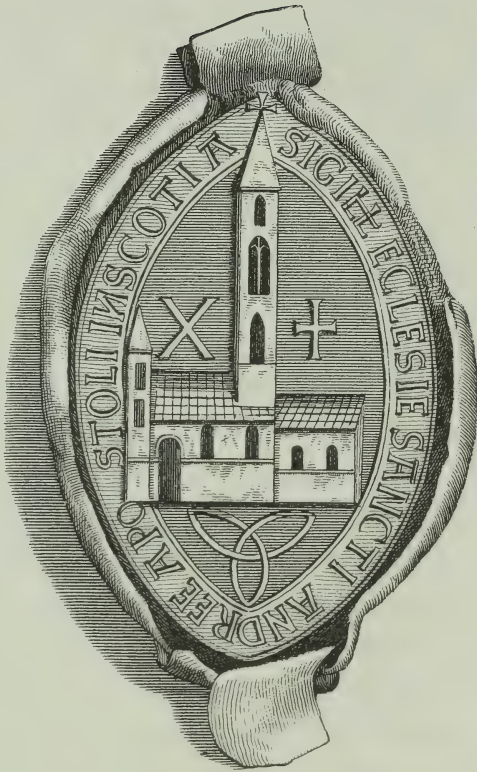
The *scrinium*, with every thing left in it, was transported to Constantinople *post biduum*; and deposited *ut supra*. The angel re-appeared to REGULUS *transcursis demum annis aliquot*, and gave him instructions for his expedition to Scotland, where, after wandering almost two years, and suffering shipwreck, REGULUS, with his companions of both sexes, and his religious cargo, landed safe, just where the buildings in question were afterwards erected, and where, after an apostolical life of 30 years, *plenus dierum obiit et grandævus*. “*Scoti-chronicon*,” *ut supra*, Edit. GOODAL, folio, Edinb. 1759, Vol. I. p. 94, & seqq.

It is well known, that, long after the fourth century, the inhabitants of both England and Scotland were in use to build the walls, not of their houses only, but also of their churches, of wood, and to cover them with reeds, straw, or branches of trees. Bede, lib. ii. cap. 14. *Hist. Ecclesiast. gentis Anglorum*, tells us, that, A. D. 627, *Paulinus* bishop of York baptized Edwin king of Northumberland, in his cathedral dedicated to St. Peter, which was built of wood; lib. iii. cap. 25. That Finan the second bishop of Lindisfarne, or Holy-Island, built his cathedral, A. D. 652, not of stone, but of wood, after the manner of the Scots. And lib. v. cap. 25. that, in A. D. 710, Nailan king of the Picts wrote a letter to Ceolfred abbot of Weremouth, requesting Ceolfred to send him some masons to build for him a church with large stones, as the Romans were accustomed to build.

These testimonies do indeed furnish sufficient evidence that the art of building with stones was but little known in England, and still less in Scotland, prior to the 8th century; and form a strong presumptive argument, that the church of St. Rule's in St. Andrew's is not so ancient as the generality of Scottish writers suppose it to be. But then it is to be observed, that this is no more than a presumptive argument; and that the testimonies above-mentioned do by no means warrant us positively to conclude that, prior to the 8th century, there were, even in Scotland, no churches built of stone.

Bede himself adduces an instance to the contrary, lib. iii. cap. 4. of his Ecclesiastical History, where he tells us, that long before the arrival of *Columbanus*, A. D. 565, Ninian had converted the Southern Picts to Christianity, and built in the province of Bernicia a church of stone, called by the Britons *Candida Casa*, because building with stones was unusual among them; which plainly shows there is nothing incredible in supposing that at

St.



St. Andrew's in Fifeshire, as well as at Wintern in Galloway, a stone church might have been erected several years before A. D. 565.

Had the seal described by Mr. Martin exhibited a view of St. RULE's church and steeple in its entire state, this might have given some ground to suspect that they had been built by the prior and convent, posterior to the erection of the monastery, and of consequence not before the 12th century. It is evident, from ocular inspection (see plate II.) that the engraving on this seal is intended to represent the south * view of this church and steeple. Numerous charters of lands belonging to the priory, to which this seal is appended, make it manifest that this was the common seal of the prior and convent. This seems to prove that this church belonged to them at the time this representation of it was adopted by them as their ensign armorial. But if they had either built this church and steeple, or found it entire when it came into their possession, it cannot be doubted, that they would have represented it in that state upon their common seal; whereas, on comparing the representation of this church on their seal with the structure itself, every eye observes, at first sight, that when this seal was engraved, and not improbably when the church itself came into the possession of the prior and convent, the choir on the east end was nearly in the same ruinous state as at present.

It is well known, and admitted on all hands, that long before the erection of the monastery, and very probably as early as Christianity began to be countenanced by the secular powers, there was at St. Andrew's, and also at the sees of other bishops, a college of married secular priests, called *Culdees*, who elected the bishop, and acted as his chapter. There is, therefore, nothing unreasonable or improbable in supposing that this small church was

* Plate I. exhibits a North West view, as it appeared in 1776; and Plate III. a North East view.

erected by and for the use of these Culdees, at an early period, when the number of Christians in this country was inconsiderable, and their manner of worship simple and unostentatious; and that it was suffered to fall into decline after celibacy among the clergy began to be considered as sanctity; the secular married clergy lost their popularity, and with their popularity their revenues, which were bestowed upon monks, who, by their pretensions to chastity, and other austerities, not only ingratiated themselves with the people, but procured the patronage of princes, popes, and prelates.

After all, as there are not now extant any authentic records, by which the antiquity of this building can be exactly ascertained, it may not be improper to subjoin a description of it in its present state; from which, persons conversant in the history of architecture and masonry, may perhaps, form juster conjectures concerning it than any we can pretend to offer.

Mr. Martin has attempted something of this kind; but his description is neither accurate, nor minute enough to enable those who have not seen and examined the building itself with attention to form an exact idea of it.

At present there is no building connected with the steeple standing westward of it. On each side of the great door leading into the west end of the steeple the stones are indeed broken and ragged, in such a manner as plainly indicates that there was formerly a building adjoining to it on the west. But this building must have been only 15 feet high, and 18 feet wide; and as there are no appearances of a roof corresponding to the size of this building upon the walls of a steeple, it is probable it had none; and indeed it could not have had one without darkening and obstructing the view of this stately and magnificent door very much. It is therefore probable, that this small building
was

was nothing more than the vestibule, or outer court, where penitents, in ancient times, used to stand during the first stage of their penance. These vestibules were generally uncovered, except along the side walls, where a small covering, supported by pillars running parallel to these walls, was sometimes permitted for penitents to stand under, and screen themselves from the inclemency of the weather.

Besides this, there is cut about an inch and an half deep into this same west wall of the steeple the form of an house roof. The top of this cutting commences at the 35th course of the stones of which the steeple is built, and runs down flaunting equally on both sides till it reaches the north and south angles at the 27th course; which plainly shews an edifice westward from and adjoining to the steeple, was once intended, if not actually erected.

The impression made by the seal of the convent represents this building as entire and unimpaired, the south wall of it running as far east as the east end of St. RULE's steeple, and westward till it meets with the east end of a smaller steeple adjoining to, and terminating this building on the west. Again, the length of the south wall of this building from the west end of St. RULE's steeple, till it meets with the east end of the smaller steeple, is represented as pretty nearly the same, as the south wall of St. RULE's chapel from the east end of St. RULE's steeple, to the place where it was joined to the choir, there represented as ruinous. The impression made by this seal further represents the south wall of this western edifice as somewhat higher than that of St. RULE's chapel, and running in a line farther southward than the south walls of either St. RULE's steeple or chapel, till it comes opposite to the east corner of St. RULE's steeple; so that the wall of this building must have inclosed

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within

within it the south wall of St. RULE's steeple, and rendered it invisible, till it made its appearance above the roof of this edifice, which roof is but low, and inclines towards St. RULE's steeple, as far as the south wall of this edifice runs parallel to that of St. RULE's steeple; but after it gets to the westward of this steeple, rises fully as high as the cutting on the west end of this steeple represents it to have done.

After all, there is ground to suspect that this western building was only intended, but never actually built; that the seal was engraved, not from ocular inspection, but from description; and that those who ordered the engraving wished to have this edifice represented on the seal, not because it was built, but because they proposed to build it after this form. For, when it is considered that the impression made by this seal represents this building as entire and in good condition; and the choir at the east end of St. RULE's chapel in the same ruinous state it is in at present; it appears something extraordinary, that the height, the breadth, and the length of this choir, can be at present easily and distinctly traced on the surface of the ground, and by the ragged wall on the east end of St. RULE's chapel uniting the choir to the chapel; and that no vestige whatever of this western building should appear, either on the ground below, or on the south wall of St. RULE's steeple, to which both the roof and the east wall of this edifice are supposed to have been joined: not to mention that, there being no want of room to the westward, it is not easy to conceive what could be the inducement to extend the walls of the edifice so far eastward, as to inclose and cover the south wall of St. RULE's steeple; or to what beneficial purpose the interval between these two walls could be applied.

But leaving this edifice, of which, if ever it existed, no vestige now remains, let us turn our attention to the ruins of St. RULE's
steeple

steeple and chapel. These two buildings, both inside and outside, are built of hewn stones. The stones are cut in the form of a parallelogram, are much larger than the stones of the cathedral, or any other of the adjacent buildings, and approach nearer to the square form. They are laid in regular courses, and the distance between the courses is from $16\frac{1}{2}$ to 20 inches. The stones run a very short way into the wall, seldom more than 8 inches. The interval between the hewn work on the inside, and that on the outside, is filled up with small stones, the whole united by a cement of an excellent quality, and harder than the stones themselves; and, as many fragments of sea shells appear in it, of which there are great plenty in the neighbourhood, it is not improbable that it might have been made of sea shells calcined.

The steeple stands due west from the chapel, and, as Mr. Martin justly observes, is an æquilateral quadrangle. Immediately above the 21st course, a belt of about a foot high projects over, and runs along the west wall of the steeple, as also along the north and south walls till it meets with the walls of St. RULE's chapel, and then it runs along the top of them. This evidently shews, that the steeple and chapel were built at the same time, and that both entered into the original plan, which is farther confirmed from this circumstance, that this belt is discontinued on the east wall of the steeple; because, being intended for ornament, it could not answer that purpose on the east end, when it was to be covered by the roof of the chapel.

At the height of 37 courses above the first belt there is another belt, and 12 courses above this a third belt, both of which project over and run along all the four walls of the steeple. Immediately above this third belt a still larger projection commences, and is continued to the height of 3 courses, the lowest

stone of which measures in height 8 inches, the next 11 inches, and the highest 9 inches; so that the height of the whole projection amounts to 2 feet 4 inches. The impression made by the common seal of the convent shews a spire immediately above this projection, with a cross on the top of the spire. But of this spire there is not the smallest vestige remaining.

The height of this steeple, measured by a plumb-line, is, including the projection, $109\frac{1}{2}$ feet.

Each of the four sides of the steeple walls measured on the out-side, at the height of 21 feet from the ground, amounts to 20 feet; measured in the inside at the same height, is $14\frac{1}{2}$ feet; measured on the outside at the top, including the projection, is 21 feet 5 inches; measured in the inside of the projection 20 feet; and measured in the inside 4 feet 2 inches below the top, is 16 feet 1 inch.

In the west end of this steeple there is a door leading into it, the height of which is 26 feet 4 inches, and the width at bottom 10 feet 3 inches. It has two arches at the top, the one immediately above the other; the segment of these arches is something more than a semicircle. The imposts of the columns that support these arches is a large square stone, without any ornament. The columns themselves are circular, but larger than the semicircle. On the top of these columns, and immediately below the imposts, there is on each column a stone 2 feet high, of the form of an inverted cone, the lower end of which is adjusted and joined to the top of the column; and about 4 inches above this joining there is raised a ring on the lower and smaller end of the cone, which is its only ornament.

Immediately above the 26th course from the lowest belt, there is a small window about 4 feet high and $2\frac{1}{2}$ wide, the top of which is also circular, and hewn out of one large square stone;
and

and exactly above the second belt there are on each side of the steeple two windows, very high in proportion to their width. They are separated by a round column, raised upon a round oblong pedestal, the circumference of which is considerably larger than that of the column. The other sides of these windows are hewn square columns, built somewhat farther inward than the walls of the steeple, and with these walls form a right angle. On the top of these columns there are square imposts projecting outward beyond the steeple walls, and this projection is a little hollowed both above and below in a circular form. On the top of the imposts of the columns square stones, joined together immediately above the middle of the round column, are hewn in such a manner as to form a circular top to each window, of which the segment exceeds the semicircle. Two courses higher still than the windows last mentioned, there is on each side of the steeple a window likewise circular at the top, and some small matter higher and wider than the window first mentioned. In a straight line with the west wall of the steeple there are two buttresses built into, and evidently at the same time with, this wall of the steeple; which plainly shews that the original builders never intended any chapel westward and adjoining to the walls of the steeple; as in this case both the buttresses and the undermost belt would have been unnecessary. These buttresses are two feet thick, and project two feet beyond the north and south walls of the steeple. The same thickness is continued till the buttresses rise to the height of the columns that support the arches over the door on the west end; after this, they slope inwards gradually towards the steeple-wall till they reach the undermost belt.

On the east end of the steeple, and leading into the chapel, there is an arched door; the form of the arch, the imposts, and

the

the columns, the same as the west door, excepting that this east door has but one arch, the other two ; the height of this is 22 feet 8 inches, and its width 9 feet 5 inches.

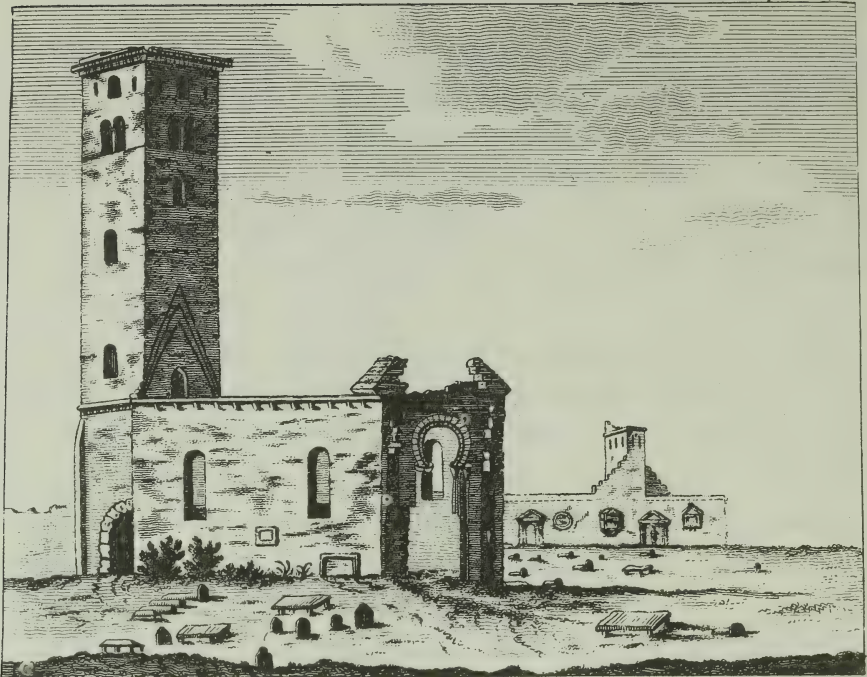
Anciently there was within the steeple a small stair-case of stone, turning along the north side of it, part of which still remains ; but whether this went all the way to the top, cannot now be determined with certainty.

As to the oaken branders, or wooden frame, mentioned by Mr. Martin, the remains of these were taken down, about twenty years since, by order of the magistrates of St. Andrew's, within whose jurisdiction this steeple does not lye, under pretext that children were in danger of losing their lives by climbing upon them, as there were then no shut doors to keep them out.

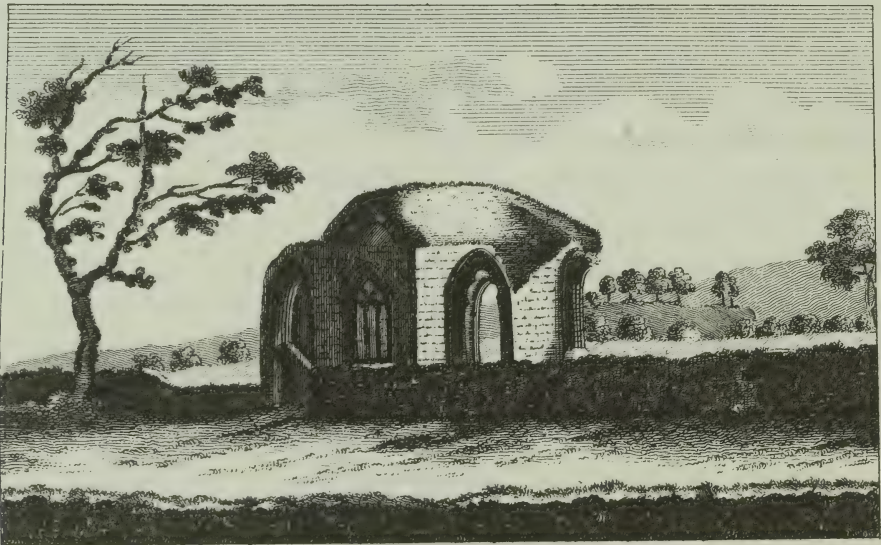
About six years ago the barons of his Majesty's exchequer in Scotland generously ordered 111*l.* sterling for the repair of this steeple, by which means the seams between the stones have been filled with fresh lime where it was wanted ; a stair-case has been built from the bottom to within four feet of the top, where a floor is laid, and covered with lead to defend it against the injuries of the weather.

St. RULE's chapel stands due eastward from the steeple adjoining to it, and, as has been already observed, has been evidently built at the same time with it. The quality of the stones, their size, and the courses in which they are laid, are exactly the same.

The walls of the chapel encroach upon the east ends of the north and south walls of the steeple about 2 feet, and project both northwards and southwards 2 feet 2 inches beyond them. The height of the chapel walls, immediately below the belt that runs along the top of them, is 29 feet 4 inches ; and, as Mr. Martin rightly says, are exactly the height of 21 stones. The length of the north and south walls measured on the outside is



St. Regulus now St. Rule at St. Andrews in Scotland



A View of the Chapel of the Greyfriars at St. Andrews in North Britain from the Original Drawing by Oliphant in the possession of M. Halket of St. Andrews.

31 feet, and measures within 25 feet 10 inches. The width measured without is 24 feet 8 inches, and measured within 19 feet 8 inches; and, as Mr. Martin observes, and as is still very evident from the figure of three gables of different heights cut upon the east wall of the steeple, it has had at three different times, three different roofs.

In the side walls of this chapel there are, as Mr. Martin observes, 4 windows, 2 to the south and 2 to the north, exactly corresponding and opposite to each other. The lower end of the bottom of each window commences at the 7th and reaches to the 8th course, and is 1 foot 5 inches high; the height of each window is 6 feet 4 inches, and the width 1 foot 6 inches and one half. They are all semicircular at top, but this semicircular form is hewn out of a large square stone, standing over the sides of each window. The sides of these windows slope both in the inside and on the outside 8 inches, so that their width, measured from the two extremities of the slope, is 2 feet 10 inches and one half. (See a view of it in plate III.)

On the east end of the chapel there is a door leading into the choir, eastward from it. This door has three arches over it, not, as on the west end of the steeple, the one over the other, but parallel to each other. The middle arch projects inwards 14 inches nearer the opening, than the other two: of course they are higher, and of larger circumference, which in both is exactly equal. These three arches, especially the middle one, like the other arches in this edifice, are larger than the semicircle. On the side next the opening they are all three hewn circular, but the diameter of this circular form is much larger in the middle arch than in any of the other two, which in both is exactly the same. All these three arches rest upon one large stone hewn in the form of three semicircles, corresponding to the three arches above. This im-
post

post projects over, and is supported by three columns, the middle column advancing 14 inches nearer the opening than the other two. On the side next the opening all these columns are hewn in a form somewhat larger than a semicircle, but the diameter of the mid column much larger than that of the other two. This middle column is built into the middle of the wall, the other two have been fixed to it by small bars of iron. There is no appearance of lead near these iron bars, which would induce one to suspect the use of it was not known in this country when the building was erected.

Each of these columns has on the top of it an inverted cone, with a ring raised, and running round, one inch above the lower end. This end is adjusted to the size of the column on which it stands, and the other end reaches up to the impost formerly mentioned. The measurement from the top of the impost down to the ground is $16\frac{1}{2}$ feet, and the middle arch rises above the impost 6 feet, so that the height of the door is $22\frac{1}{2}$ feet, and its width is 9 feet.

Farther towards the east there has been a choir adjoining to, and built at the same time with, the chapel.

It evidently appears, from the ragged walls on the east end of the chapel, that the walls of this choir have been $2\frac{1}{2}$ feet thick, 26 feet 4 inches high, and the width from wall to wall in the inside 16 feet; and from the foundation of the walls still remaining, it appears that the length of this building within the walls has been 24 feet.

The following Remarks on this venerable Structure, accompanied with the drawing exhibited in Plate I. was communicated to the Editor of the Gentleman's Magazine, in 1786.

Mr. URBAN,

Jan. 4.

IN a tour I made some years ago through the Northern parts of this kingdom, I could not help being much struck with the beauty of an old tower I found at St. Andrew's in Scotland, and was not less surprized on being told of its very great antiquity, as it was then almost entire, and the stones of which it is built scarcely at all weather-worn. The tower, in the dialect of the country, is called *the steeple of St. Rule*, and was built, together with a small chapel adjoining to it, which is of the same kind of materials and workmanship, some time in the fourth century, by a St. Regulus, a native of Italy, who introduced or established Christianity in those parts. The tower, I was told (for I did not measure it), is about 120 feet high. It is built of a kind of freestone, of a dullish white colour; and the joints between the stones were then so close, that the point of a knife could not have been thrust into any chink between them. I took a drawing of the tower and adjoining chapel, which I send along with this, and which I hope will find a place in your valuable repository; and shall be glad if any of your correspondents, who are well acquainted with the history and antiquities of that place, will favour the publick, through the same channel, with a better account of these than I could pick up in the course of a hasty ramble. The cathedral, which was in the same close with this tower, was built many centuries later; but the stone of which it was built has been so bad as to be wasted by the weather exceedingly.

E e

Please

Please to take notice, that the large arched gateway on the west side of the tower, which is now in part built up with stones, has been evidently cut out of the wall at a later period, as the nature of the stone and style of workmanship evidently shew. In performing this work, a considerable rent has been made above the arch, which is represented in the drawing.

At the time I was there, the inside of the tower was open from top to bottom, without any roof. I have been just now informed, by a gentleman who was lately in that country, that it is now covered-in with a roof, and a stair carried up to the top within it; and that it is in every respect so thoroughly repaired, as to give room to hope that it will remain a beautiful monument of art to a very distant period.

A TRAVELLER.



The Riding of the PARLIAMENT of SCOTLAND, 1606.

Apud Perth, primo Julii, 1606.

THE Lords of Secret Councill, willing that a decent and comely order shall be observed and kept be the estates of this kingdome, in the ryding of this present Parliament, hes therefore sett down the order following, to be kept be them at this time of Parliament ; viz.

That the whole estates shall attend the Commissioners Grace at his lodging, and convoy him therefra to the parliament house in this order.

First, the Commissioners of Burrows to march formost, two and two in rank on horseback, with foot mantles.

Next, the abbots and priors two and two in rank.

Thirdly, after them, shall ryde the temporal barrons, or lords of parliament, two and two in rank ; and that every last created shall march together foremost all in there robes.

Fourthly, the Bishops and Archbishops, two and two in rank, according to there place and dignity.

And immediately after the Earles ranked as said is, and the latest of creating to ryde foremost.

And then the Honours immediately before the Commissioner, and after his Grace the Marqueesses. And that he trumpets, macers, persevants and heraulds, with the king at armes, keep there own places and ranks, according to there bygone custome.

And that none of the Estates repair to the Parliament house whiles the Commissioner's Grace be ready ; and that they attend and waite upon him, and convoy him in there ranks and order as written, as they will be answerable upon there obedience ; and ordains publication to be made hereof, open proclamation at the Mercat Cross of Perth, wherthrow none may plead ignorance of the samen.

Notwithstanding of the Act, neither commissioners of burrows nor barrons ryde for want of furniture be reason of the untimous warning ; but it is true, that one only Parliament in Edinburgh the Commissioners rode without foot-cloaths, suklike notwithstanding. This act is granted to the Bishops, and they are in use to have the place of all Earles, and rides altogether two and two ; the macers ride on every side of the Honours, the heraulds and pursevants before the samen, with the trumpets before them, according to there degrees.

All officers of state, as Chancellor, Threasurer, Secretary, are in the Parliament-house before the Estates come.

The Constable and Marishall attend, to guard the Parliament-house.

The Honours are born by the first in degree ; viz. the crown next the Commissioner's Grace, the scepter next, and sword foremost.

The Captain of the Guard directly behind his Grace, leaving place always to the Marqueesses and other Noblemen attending his Grace that are out of ranks. The Master of the Horses rides behind his Grace, something aside ; and after his Grace is entered the Parliament-house, and sett in his chair of state upon the throne, every Nobleman takes his place round about, according to his place and rank, &c.

An ACT by his Royal Highness his Majesties High Commissioner, and Lords of Privy Council, establishing the order of the Rydeing, &c. at the opening of the ensuing Parliament, and several circumstances relating thereto, conform to the ancient practice of Scotland, appointed by the books of Privy Councill, and the Lyon's books at Edingurgh, 25 July 1681.

I. His Majesties High Commissioner, and Lords of Privy-councill, ordain the Magistrates of Edinburgh to cause make a lane of there citizens in armes, and best order, from the Lady Steps to the Nether Bow, his Majesties foot-guards making a lane from the Nether Bow to the Palace.

II. The said magistrates are appointed to order, that there be no shooting, nor any displaying of ensigns, nor beating of drums, during the cavalcade, nor any coaches be seen within the ports of Edinburgh, till the whole solemnitys be over, under all highest pains: The said magistrates are to cause make and place two barks of timber within the Abby Clois, for mounting on horseback; and two at the Lady Steps, for mounting upon horseback and dismounting.

III. The Constable and Marisball Guards of Partizans are to make a lane from the Lady Steps, those of the Constables without, and those of the Marischalls within the house, allowing the Constable six of his guards within doors, conform to the former practice.

IV. Every member of Parliament must ride, and the absents incur fyning, conform to the Act of Parliament, 1662.

V. Where there be double elections of Commissioners, nether are to ride.

VI. The nobility are to ride in there robes, and with foot mantles.

VII. The officers of state who are not noblemen, and who have gowns peculiar to their office, are to ride in there gowns.

VIII. The whole members are to ride covered, excepting those who carry the Honours.

IX. The Lyon, heralds, pursevents, and trumpets, ride immediately before the Honours; the Lyon in his coat and robe, chain and batton, alone, and immediately before the sword of honour; the rest with there coats and footmantles bareheaded, in there accustomed order.

X. The macers of Councell, and four macers of Session, ride on each side of the Honours bareheaded, with foot mantles, the two macers of Councell attending the crown, and the four macers of Session the scepter and sword.

XI. The higher degree, and most honourable of that degree, is to ride always last.

XII.

XII. Every Duke is to have eight lackeys, every Marques six, every Earle four, every Viscount three, every Lord three, every Commissioner for a Shire two; and every Commissioner for Burghs, and every Nobleman, is to have a Gentleman bare-headed to walk by him, and to bare up his train; and these Gentlemen are, at there entry to the house, to stand without the bar.

XIII. The Archbishops and Bishops are to ride in there gowns and tipetts, with there footmantles, and the Archbishops may have eight lackeys, and Bishops three, and each of them is to have a Gentleman bareheaded to walk by him, and to bear up his train.

XIV. The noblemens lackeys may have over there liveries velvet coats, with there badges, i. e. there crests and mottos, done on plate, or imbroidered upon the back and breast, conform to ancient custom, or there ordinar liveries.

XV. The Constable and Marefchall are in the morning to wait on his Majesties High Commissioner at the palace, and to receive his orders; and from thence returning privately, the Constable is to come out of his lodgeing on foot, and having viewed the rooms under and above the Parliament-house, puts on his robes, and having his batton in his hand, sets himself in a chair, at the entry of the Clois, at the Lady-steps, by the outmost of guards, from which he is to raise and salute the Members as they alight from there horses, and to recommend them to the gentlemen of his guard, to be conducted to the Marischall guards.

XVI. The Marischall is also to attend in his robes, being set in a chair at the head of his guards, and to receive the Members (having his batton in his hand) as they enter the door.

XVII. The officers of state who are noblemen, so many of them as are in the kingdome, are to ride up from the Abby in the robes about half an hour before the cavalcade, and to wait in the Parliament-house untill the High Commissioner come; and when an ordinary subject is Commissioner, the High Chancellor is to have his own purse in his hand, and to usher him betwixt the bar and the throne; but when his Royal Highness, or any lawful brother or a son of the King, is Commissioner, he is to usher them from the door itself, and back.

XVIII. The whole members of Parliament are to wait upon his Majesty's High Commissioner in the Guard-hall, and the Nobility being in their robes; and the servants and horses are to attend in the outer Clois.

XIX. The Lyon King at Armes in his coat, robe, chain, and batton (to whose charge the order of the rideing is committed), with six heraulds, six purlevants, six trumpets, in there coats, attend likewise.

XX. How soon his Majesties High Commissioner is ready, the Lord Register (or such as he shall appoint) and Lyon standing together, each of them holding a roll in his hand, and the rolls being read, and the Lyon is to call the names of such of them as are to ride according to there order, and one herauld is to cry out aloud at one of the windows, and another herauld to stand at the gate, and see them doe accordingly.

XXI. The Members are to ryde two and two, each degree by itself, at some distance, without mixing with any other degree; so that if there fall to be an odd Member of one degree, he must ride alone.

XXII.

XXII. The Lord Register is to make up the Rolls of Parliament, Rolls for the rideing and calling in the Parliament-house, conform to the riding and calling of the last Parliament anno 1669, wherof he is to give the Lyon a just duplicat, except where there is just ground to alter the same; and the Members are to ride as they are called; but if they think themselves perjudged, they may protest in the same manners at the calling of the Rolls in the house, and may afterwards, as they think fit, apply themselves to the Parliament for remedy.

XXIII. The Honours are to be carried immediately before the High Commissioner, the crown by the Marques of Douglas, the scepter next by the eldest Earl present, and the sword before it by the Earl next in order; and the bearers are to ride one by one bareheaded.

XXIV. The Dukes and Marquesses are to ride after the High Commissioner at some distance; conform to the former custome.

XXV. The Master of Horses to ride bareheaded after his Majesty's High Commissioner, but a little aside when the Commissioner is the King's lawful son or brother.

XXVI. The Gentleman Usher, with a white rode in his hand, is to ride aside bareheaded near to the Commissioner, he before, on the same side; and in the same manner as the Master of the Horse behind in the case foresaid.

XXVII. How soon his Majesty's High Commissioner alights from his horse, the Lord Constable is to receive him, and to attend him to the Marischall Guards; and then both Constable and Marischall are to convoy him bareheaded to the throne, and are in the same manner to attend him in his return to horse.

XXVIII. When the Members alight, the servants and horses are to remove, and to stand in the Land-Mercat, betwixt the Tollboth and the Wey-house, untill the High Commissioner be upon his return to the palace.

XXIX. The return to the palace is to be in the same manner, with these two alterations; viz. first, the Constable and Marischall ride on the High Commissioner's right and left-hand, with capes of permission, the Constable on the right, and Marischal on the left; secondly, the officers of state who are noblemen are not to take there horse untill the High Commissioner be gone, and then are to ride at some distance after the guard.

ORDER of the proceeding on horſeback, to be performed the firſt day of the enſuing Parliament by all the members of Parliament, in convoying his Royal Highneſs his Maſteſty's High Commiſſioner, from the Abbey of Holyrood-houſe to the Parliament-houſe, and back again to the Palace, the 28th day of July, 1681.

ABOUT the ſpace of half an hour before the riding begin, Lord High Chancellor and Lord Privy Seal (they being only preſent of the principal officers of ſtate) ride up in there robes, the Chancellour on the right hand with mace and purſe before him, and the Privy Seal on the left; and in there return to the palace they are to ride at a diſtance, after the guard.

Two trumpets with there coats and banners bareheaded, } to uſher the way.
Two purſevants in there coats and footmantles bareheaded, }

The commiſſioners for burghs, two and two.

The commiſſioners for ſhires, two and two.

The four officers of ſtate who are not noblemen, two and two.

The Lords or Barons of parliament, two and two.

The Biſhops, two and two.

The two Archbiſhops.

Four trumpets in there coats and banners bareheaded, two and two.

Four purſevants in there coats and footmantles bareheaded, two and two.

Six heraulds in there coats and footmantles bareheaded, two and two.

The Lyon king of arms, in his coat, robe, collar, batton, and footmantle, bareheaded.

Three Macers with the maces and foot- mantles, bare- headed.	{	The ſword of ſtate, born by the Earl of Mar,	{	Three Macers with there maces and foot- mantles, bare- headed.
		bareheaded.		
		The ſcepter, born by the Earl of Argyle,		
		bareheaded.		
		The crown, carried by the Marques of Douglas,		
		bareheaded.		

The Gentleman Uſher with his } A nobleman bearing the purſe, with his
white rode aſide, bareheaded. } Royal Highneſs's commiſſion, bareheaded.

The Maſter of Horſe { His Royal Highneſs his Maſteſty's High Commiſſioner, at-
bareheaded, in the caſe { tended with his ſervants, pages, and footmen; and in
foreſaid. { the return to the palace, having the High Conſtable on
his right-hand, and the Mariſchal on his left, with capes
of permiſſion, and in there robes.

The Dukes and Marqueſſes attending his Maſteſties High Commiſſioner
in there robes.

The Captain of his Maſteſty's guard on the head of the troupe of guards.

Extracted by me, WIL. PATERSON, Cl. S^{ti} Concilii.

Order of the Cavealcad, 28 July, 1681.

2 Trumpets.

2 Pursevants.

COMMISSIONERS for BURGHS.

Innerberie.
Alexander Man.
Kirkwall.
David Craigie.
Week.
Alexander Mason.
Cromarty.
Rose Markie.
Innerverie.
John Anderfon.
Inverary.
William Brown.
Queensferry.
James Hill.
Dornack, Dingwal.
Donald Bain.
Foretrose.
Robert Janes.
New Galloway. Sangubar.
Robert Carmichell.
Lochmaben.
John Johnston.
Amand.
James Carruthers.
Kinlore.
John Udney.
Lauder.
Charles Lauder.
Kelmurrie. Cullen.
James Ogilvie.
North Berwick.
Double Elections.
Rutherglen.
Double Elections.
Forrees.
Thomas Urquhart.
Nairne.
John Rofs.
Rotbefay.
Cuthbert Stewart.

Forfar.
John Carnegie.
Whiteborne.
David Forrester.
Bamff.
William Fife.
Culrofs.
George Wilsone.
Tayne.
John Forrester.
Craill.
George Moncrieff.
Peebles.
William Williamsone.
Elgin.
John Fyffe.
Aberbrothwick.
John Kyd.
Lanrick.
William Wilkie.
Dunbar.
James Hamilton.
Renfrew.
Robert Hall.
Dumbarton.
William M'Farlane.
Selkirk.
Sir Patrick Murray.
Pittenwam.
George Russell.
Dumfermling.
Andrew Belfrage.
Wigtowne.
William Calteraine.
Kirkudbright.
Samuel Carmont.
Jedburgh.
Andrew Anslie.
Irving.
James Boyle.

Brechin.
David Donaldsone.
Kingborne.
Robert Bruce.
Innerkeitbing.
Mr. John Dempster.
Burntisland.
James Dewar.
Inverness.
William Duff.
Dumfries.
William Creik.
Anstruther Easter.
Robert Anstruther.
Coupar.
Patrick Mortimer.
Montrose.
Robert Renald.
Kirkaldie.
John Williamsone.
Dysert.
John Reddie.
Haddingtown.
Mr. Henry Cockburn.
Air.
William Cunningham.
Glasgow.
John Bell.
St. Andrew's.
Mr. John Easone.
Linlithgow.
Alexander Miln.
Sterling.
Robert Russell.
Aberdeen.
George Skene, Provost.
Dundie.
John Scrimfour.

COM-

COMMISSIONERS FOR SHIRES.

Perth.

John Glas, Provost.

For the Burgh of *Edinburgh.*

Sir James Dick, of Priestfield, Provost.

Edward Cleghorne.

Kinross.

Sir William Brue, of Balcasky.

Ross.

Sir George Mackenzie, of Tarbets.

Mr. Rod. Makenzie, of Findone.

Clackmanan.

Sir William Sharp, of Stonehill.

Orkney.

William Craigie, of Guerfay.

Elgin.

Lord Grant of Feuchie.

Tho. Dunbar of Grange.

Caithness.

Geo. Sinclair, of Ulbster.

Sutherland.

Rob. Geordon, younger of Gordeston.

Jo. Geodon, of Emboll.

Stewartrie of *Kerkudbright.*

Sir Robert Maxwell of Urchertown.

Bamff.

Sir Patrick Ogilvie, of Boyne.

George Gordon, of Edenglassie.

Forfar.

Sir David Ogilvie, of Clova.

James Carnegie, of Belnamoone.

Fife.

Sir Charles Kalkel, of Pilferren.

William Anstruther younger, of Anstruther.

Argyle.

John Campbell, of Carrick.

John Campbell, of Succoth.

Cromarty.

Geo. Dallas, of St. Martin's.

Nairne.

Sir Hugh Campbell, of Calder.

Duncan Forbes, of Calloaden.

Inverness. Aberdeen.

Sir Alexander Setton, of Pellmeden.

Sir George Gordon, of Haddoe.

Kinkardine.

Sir Alexander Falconer, of Glenferques.

Sir Jo. Falconer, of Balmackelly.

Perth.

Sir William Drummond, of Cromlix.

Mungo Haldone, of Gleneglis.

Linlithgow.

Double Elections.

Sterling.

Sir James Sellon of Touch; the other Election controverted.

Renfrew.

William Hamilton, of Orbeston.

Sir John Shaw, of Greenock.

Bute.

John Bogle, of Kelburn.

Ninnian Bannalyne, of Kaines.

Dumbarton.

Sir Patrick Houstoun of that Ilk.

William Noble, of Dakillar.

Aire.

Sir John Cochran, of Ochiltree.

Sir John Cunningham, of Lambrughton.

Wigtone.

Sir James Dalrymple, of Stair.

Sir David Dunbar, of Baldoone.

Dumfries.

Sir Robert Dalzel, of Glennac.

Robert Greerson, of Lag.

Lancrk.

Cromwell Lockhart, of Lee.

Sir George Lockhart, of Bredwood.

Peebles.

Double Elections.

Selkirk.

James Murray, of Philliphagh.

Hugh Scott, of Gallowshiells.

Roxburgh.

Henry M'Douall, of M'Kerstone.

Robert Pringle, of Sitchiell.

Berwick.

} Double Elections.

Haddington.

For the Shire of *Edinburgh.*

Sir James Foulis, of Collingtown.

Sir John Caper, of Gogar.

F f

OFFI-

CEREMONIAL OBSERVED BY THE OFFICERS OF STATE.

Justice Clerk.
Advocate.
Register.
Thesaurer Deput.

L O R D S.

Nairne.
Burntisland.
Newwark.
Bellenden.
Rutherford.
M'Donald.
Ruthven.
Colvill.
Rollo.
Duffus.
Carmichael.
Abercrombie.
Belhaven.
Halkertown.
Dunkeld.
Elibank.
Bamff.

Balgeanie.
Frazer.
Kirkudbright.
Pitligo.
Forrester.
Rae.
Cramond.
Cameron.
Napier.
Melvill.
Cuper.
Madertie.
Jedburgh.
Burligh.
Cranstone.
Cardross.
Blantyre.

Balmerinoch.
Lindores.
Spynie.
Torphichen.
Ross.
Borthwick.
Lovat.
Oliphant.
Elphinstowne.
Sanpitt.
Mordingtown.
Sinclare.
Cathcart.
Ochiltree.
Gray.
Saltowne.
The Lord Forbes.

B I S H O P S.

Bishop of Orkney.
Bishop of Argyle.
Bishop of the Isles.
Bishop of Caithness.

Bishop of Dumblain.
Bishop of Brechin.
Bishop of Ross.
Bishop of Murray.

Bishop of Aberdeen.
Bishop of Dunkeld.
Bishop of Galloway.
The Bishop of Edinburgh.

V I S C O U N T S.

Newhaven.
Prestoun.
Dumblaine.
Kilsyth.
Irving.

Oxford.
Kingstoun.
Frendraught.
Arbuthnott.
Kenmure.

Stormont.
Dumbarr.
The Viscount of Falkland.

E A R L S.

Caithness.
Kintore,
Dumbarton.
Dundonald.
Kilmarnock.

Newburgh.
Farras.
Aboyn.
Midletoun.
Forfar.

Baliarras.
Kinkardine.
Northesk.
Tueddell.
Panmure.

Dysert.

Dysert.	Queensbury.	Perth.
Annandale.	Dumfries.	Home.
Leven.	Laudowne.	Linlithgow.
Callender.	Kinnoull.	Wintoun.
Carnwath.	Lothian.	Nithsdale.
Finlator.	Seaforth.	Cassilles.
Airly.	Galloway.	Eglingtowne.
Dallousie.	Haddingtown.	Glencairne.
Weems.	Kellie.	Buchan.
Ancram.	Roxburgh.	Mortone.
Traquair.	Abercorne.	Airth.
Southesk.	Strathmore.	Sutherland.
Elgine.	Wigtoune.	Crawfeord.
Sterling.	Dumfermling.	

A R C H B I S H O P S.

The Archbishop of Glasgow.
The Archbishop of St. Andrew's.

Four Trumpets.
Four Pursevants.
Six Heralds.

Lyon King of Armes.

The Earle of Mar bearing the sword.

The Earle of Argyle bearing the scepter.

The Marques of Douglas bearing the crown.

The six Macers aside.

The Purse with the Commission.

The Usher aside the High Commissioner.

The Master of Horses aside the Dukes and Marqueses.

The Captain of the Guard, and Guard.

A led horse, with the Lord Privy Seal, being only present of all the Officers of State, rides up before, and comes down after.

The Rolls of the Bishops, Nobility, Officers of State, Commissioners for Shires and Burghs of the Kingdom of Scotland, called in the first Parliament of our dread Sovereign King James the Seventh, by the Grace of God, King of Great Britain, France, and Ireland, Defender of the Faith, as they were called, by Sir George M'Kenzie of Tarbit, Knight and Baronet, Clerk to his Majesty's Council, Parliament Register and Rolls, holden at Edinburgh the Twenty-third Day of April, One Thousand Six Hundred and Eighty-five years, by an high and mighty Prince, his Majesty's right trustie and most intirely well-beloved Cusine and Councillor William Duke of Quensberry, Marques of Dumfries-shire, Earl of Drumlanrick and Sanquar, Viscount of Nith, Totherwald, and Rofs, Lord Douglas of Kinmouth, Middlebie, and Dornick, and his Majesty's High Commissioner for holding the same, Lord High Thesaurer of this his Majesty's ancient Kingdom of Scotland, One of the Lords of his Majesties most Honourable Privy Council of the said Kingdom, one of the Lords Extraordinary of Session, Chief Governor of the Castle of Edinburgh, and one of his Majesty's Honourable Privy Council in the Kingdome of England.

The CLERGIE in PARLIAMENT, 1685.

ARCHBISHOPS.

Archbishop of St. Andrew's.
Archbishop of Glasgow.

BISHOPS.

The Bishop of Edingburgh.	Bishop of Murray.	Bishop of Caithness.
Bishop of Galloway.	Bishop of Rofs.	Bishop of the Isles.
Bishop of Dunkeld.	Bishop of Brichene.	Bishop of Argyle.
Bishop of Aberdeen.	Bishop of Dumblane.	Bishop of Orkney.

The NOBILITY.

James Earl of Perth, Lord High Chancellor of Scotland.
The Marques of Atholl, Lord Privy Seall.

DUKES.

DUKES.

Duke of Hamiltown.
Duke of Buccleugh.
Duke of Lenox.
Duke of Gordon.
D. of Q.

EARLES.

The Earl of Murray Lord
Secretary.
The Earl of Craufoord.
The Earl of Errold.
The Earl of Marishall.
Marr.
Airth.
Roths.
Mortone.
Buchan.
Glencairne.
Eglingtown.
Cassils.
Caithness.
Nithsdale.
Wintown.
Linlithgow.
Hume.
Perth.
Dumferling.
Wigtowne.
Strathmore.
Abercome.
Til.
Roxburgh.
Kellie.
Haddington.
Galloway.
Seaforth.
Lauderdale.
Lothian.
Kinnoull.
Loudown.
Dumfries.
Sterling.
Elgine.
Southesk.
Traquair.

MARQUESSES.

The Marques of Douglas.
The Marques of Montrose.
Marques of A.

LORDS.

Prestone.
Newhaven.
Melford.
Tarbet.
The Lords Forbes.
Saltoun.
Ochiltree.
Catchcart.
Sinclair.
Mordingtown.
Sempell.
Elphinstown.
Lovat.
Borthwick.
Oliphant.
Ross.
Torpichen.
Spinie.
Lindores.
Balmereno.
Blantyre.
Cardras.
Cranstown.
Burlie.
Maderlie.
Coupar.
Melvill.
Napier.
Cameron.
Cramond.
Rae.
Forrester.
Pittligo.
Kirkudbright.
Frazer.
Balguenia.
Bamff.

VISCOUNTS.

The Viscount of Falkland.
Dumbar.
Stormont.
Kenmure.
Arbuthnot.
Trendraught.
Kingstown.
Oxford.
Irvine.
Kilsyth.
Dumblane.

CEREMONY OBSERVED BY THE

Elebank.	Duffus.	Ballantyne.
Dunkeld.	Rollo.	New-wark.
Halkertown.	Colvill.	Burntisland.
Balhaven.	Ruthven.	Nairne.
Abercrombie.	M'Donald.	Eymouth.
Carmichaell.	Rutherford.	Kennard.

COMMISSIONERS FOR SHIRES.

<i>Edinburgh.</i>	<i>Bute.</i>	<i>Fife.</i>
<i>Haddingtown.</i>	<i>Renfrew.</i>	<i>Forfar.</i>
<i>Berwick.</i>	<i>Stirling.</i>	<i>Bamff.</i>
<i>Roxburgh.</i>	<i>Linlithgow.</i>	<i>Kirkudbright.</i>
<i>Selkirk.</i>	<i>Perth.</i>	<i>Sutherland.</i>
<i>Peebles.</i>	<i>Kincardine.</i>	<i>Caithnes.</i>
<i>Lanerk.</i>	<i>Aberdeen.</i>	<i>Elgine.</i>
<i>Dumfries.</i>	<i>Inverness.</i>	<i>Orkney.</i>
<i>Wigtown.</i>	<i>Nairne.</i>	<i>Clackmanan.</i>
<i>Aire.</i>	<i>Cromarty.</i>	<i>Ross.</i>
<i>Dumbarton.</i>	<i>Argyle.</i>	<i>Kinross.</i>

COMMISSIONERS FOR THE BURGHS.

<i>Edinburgh.</i>	<i>Jedburgh.</i>	<i>Rutherglen.</i>
<i>Perth.</i>	<i>Kirkudbright.</i>	<i>Northberwick.</i>
<i>Dundie.</i>	<i>Wigtown.</i>	<i>Cullen.</i>
<i>Aberdeen.</i>	<i>Dumfermling.</i>	<i>Kellorne.</i>
<i>Stirling.</i>	<i>Pittenweem.</i>	<i>Lauder.</i>
<i>Linlithgow.</i>	<i>Selkirk.</i>	<i>Kinlore.</i>
<i>St. Andrew's.</i>	<i>Dumbarton.</i>	<i>Annan.</i>
<i>Glasgow.</i>	<i>Renfrew.</i>	<i>Lockmaben.</i>
<i>Air.</i>	<i>Dumbar.</i>	<i>Sanquhar.</i>
<i>Haddingtown.</i>	<i>Lanrick.</i>	<i>New Galloway.</i>
<i>Dysert.</i>	<i>Aberbrothick.</i>	<i>Fortross.</i>
<i>Kirkcaldy.</i>	<i>Elgine.</i>	<i>Dingwall.</i>
<i>Montrose.</i>	<i>Peebles.</i>	<i>Dornock.</i>
<i>Cupar.</i>	<i>Craill.</i>	<i>Queensferry.</i>
<i>Anstruther.</i>	<i>Tayne.</i>	<i>Inverurie.</i>
<i>Dumfries.</i>	<i>Culros.</i>	<i>Inverary.</i>
<i>Inverness.</i>	<i>Bamff.</i>	<i>Rosemarky.</i>
<i>Burntisland.</i>	<i>Whithorne.</i>	<i>Cromarty.</i>
<i>Innerkeithing.</i>	<i>Forfar.</i>	<i>Week.</i>
<i>Kinghorn.</i>	<i>Rothsay.</i>	<i>Kirkwall.</i>
<i>Brechen.</i>	<i>Nairne.</i>	<i>Innerbervie.</i>
<i>Irving.</i>	<i>Forres.</i>	

Memorandum from the Lyon-office, concerning the Order to be used at the opening of the ensuing Parliament (to which his Grace the Duke of Queensberry is his Majesty's High Commissioner) conform to the Act of Privy Council, and Plan laid down at the opening of the last Parliament.

1. THE Magistrates of Edinburgh must be ordered to cause make a lane of their Citizens in there arms, and in the best order, from the Lady's Steps to the Nedder-bow; and his Majesty's foot-guards are to be ordered to make a lane from thence to the palace; and both are to be expressly ordered, that there be no shotting, displaying of ensignes, nor beating of drums, during the cavalcade; and the Magistrates are to take special care that no coaches be seen within the ports untill the solemnity be over, under the highest pains.

2. The said Magistrates are to cause make two banks of timber within the Abby Clofs, and as many below the Lady's Steps, whereon the Members may mount and dismount.

3. The Lords High Constable and Marischal are to make the lane with there guard of partizans, from the Lady Steps to the Barr of the House; those with the Constable without, and those of the Marischall within the house, allowing always to the Constable six of his guards within doors.

4. Every Member of Parliament must ride, and the absents fineable, conforme to the Act of Parliament.

5. Where there are Double Elections of Commissioners, neither of the controverting parties is to ride.

6. The whole Nobility are to ride in there robes, with footmen.

7. The officers of state who are not noblemen, and who have gowns peculiar to there office, are to ride in those gowns.

8. The whole Members are to ride covered, excepting those carrying the Honours, who ought to be dis-covered.

9. The Lyon, in his robe, coat, chain, and batton, rides immediately before the Honours, ushered by all the heraulds, pursuivants, with the coats and footmantles, and trumpets, in formalitys, all bareheaded, excepting two pursuivants and two trumpets, who are to usher the way to the whole Members.

10. The two Macers of Councill, and four Macers of Session, to ride on each side of the Honours, bareheaded, three and three, with footmantles.

11. Every Duke may have eight lacqueys, every Marques six, the Earles four, Viscounts three, the Lords or Barons three, the Commissioners for Shyres two; and every Commissioner for a Burgh one; and every Nobleman may have a Gentleman bareheaded to walk by him at the riding, and to bear up his train when he dismounts, which Gentlemen, at their entry to the house, are to stand without the

bar. These noblemen may have over there liveries velvet coats, with there badges, done in plate, embroidred on the back and breast, conform to ancient custom, or may make use of there ordinary or new-fashioned liveries, in there option.

12. The Archbishops and Bishops are to ride in there gowns and tippetts, and footmantles; and the Archbishops may have eight lacqueys, and the Bishops three; and each of them a Gentleman to bear up his train.

13. The whole Members of Parliament are to wait upon his Majesty's High Commissioner, in the Palace, in their Formalities, by 8 in the morning, there servants and horses attending in the outer court.

14. The Lord High Constable and Lord High Marischal are to wait on his Majesties High Commissioner airly in the morning; and having received his orders to return privately, the Constable is then to search the rooms under and above the Parliament-house, and thereafter putting on his robes, and having his batton in his hand, is to set himself in a chair, at the entry by the Ladies-steps, and hard by the utmost of his guards, from whence he is to arise and salute every Member as he alights from his horse, and recommend them to the gentlemen of his guards to conduct them to the Marischall guards; and the Marischall is also to be set in a chair at the head of his guards, with his robes and batton, from whence he is to arise and receive each Member as they enter the door.

15. The officers of state, who are noblemen, are to ride from the Palace in their robes, about half an hour before the cavalcade begin, and to wait in the House untill my Lord High Commissioners coming; and how soon his Grace my Lord High Commissioner shall come the length of the bar, my Lord High Chancellor is to take his own place on his right hand, and to usher his Grace from thence to the throne.

16. The whole members are to ride two and two, each degree by itself; the highest degree, and most honourable of that degree, being always last; and if it fall that there be an odd Member of one degree, he must ride alone.

17. The Dukes and Marquesses are to ride after the High Commissioner, at some distance; the higher degree being almost next to his person.

18. The Honours are to be carried immediately before his Grace my Lord High Commissioner; the Crown next to his person, by the Marques of Douglas.

The scepter next to it by the eldest Earle present.

And the sword before it by the Earle next in order, the bearers ryding bare-headed.

19. His Grace the Lord High Commissioner is to ride immediately after the Honours, having the Commission borne before him by a Lord or a Peer's son, bare-headed, attended with his gentlemen, pages, and footmen; and how soon his Majesties High Commissioner alights from his horse, the Lord High Constable receives him, and attends him to the Marischall guards; and then both Constable and Marischal are to convey him bareheaded on each hand to the throne, and attend him back to his horse.

20. After all comes his Majesties troop of Guards.

21. When the Members alight, the servants and horses are to remove and stand in the Land Mercat untill the High Commissioner be upon his return to the Palace.

22. The

22. The return to the Palace is to be in the same manner, except these two particulars.

1. The Constable and Marischal ride in the return on the High Commissioner's right and left hands, with caps of permission.

2. The officers of state who are noblemen are not to take horse untill his Grace the Commissioner be gone, and then are to ride down at some distance after the guards.

23. Some dayes before the Parliament ride, the Lord Register and Lyon are to compare and adjust their respective rolls of parliament; and the Lyon is to have a just double of the register's rolls, with the addition of the new Commissioners. According to which roll, the Lyon is to order the whole procession, and to call the members to ride in the Abbay Clofs and at the Lady's Steps respectively, and to see them ryde accordingly; and if any of the members think themselves prejudged, they may protest either then or afterwards, at the calling of the rolls in the house, or at both.

It is humbly offered, for preventing a disorderly riding, that these following faults, committed at the last cavalcade may be now timeously obviat.

1. Whereas the Gentlemen Commissioners for the Shires ought to ride according to the roll, yet the Commissioners for the shires of Perth and Fife would not submit to the orders given them for ryding in their proper places, but came away in a disorderly manner before the whole members.

2. Albeit no person ought to interpose betwixt his Majesties Commissioner and the Honours, except he who bears the Commission (who only makes up on person with himself, viz. the King's Representative); yet at the last rideing, the trumpets of his Majesties guard of horse most insolently thrust themselves in betwixt the Commissioner and the Crown, which certainly was an unpardonable offence; and whereof his present Majesties Commissioner was so sensible (upon information given him of the abuse) that he from his own mouth, in the return to the palace, commanded them back to their posts, at the head of guards. This would now be adverted unto, and the captain of the guard discharged, to countenance such an abuse.

Order of the Cavalcade to be performed at the opening of the ensuing Parliament by all the Members, in conveying his Grace the Duke of Queensberry, his Majesty's High Commissioner, from the Abbey of Holyrood-house, to the Parliament-house, and back again to the Palace, the twenty-third of Aprile, 1685 years.

ABOUT the space of half an hour, or thereby, before the rydeing begin, my Lord Chancellor, Lord Privy Seal, Lord Theasuerer depute, they being the only noblemen present who are officers of state, ride up in their robes; the Chancellor in the middle with his mace and purse before him: and in their return to the Palace, they are to ride at a distance after the guard.

Two Trumpets in there coats bareheaded.

Two Pursevants in there coats and foot-mantles, bareheaded. } To usher the way.

The Commissioners of Burghs, two and two.

The three Officers of State who are not Noblemen in on rank.

The Lords or Barons of Parliament, two and two.

The Bishops two and two.

The Viscounts two and two.

The two Archbishops.

Four Trumpets in their coats and banners, bareheaded, two and two.

Four Pursevants in their coats and foot-mantles, bareheaded, two and two.

The Lyon King of Armes, in his coat, chain, and batton, and footmantle bareheaded.

Three Macers with their maces and footmantles bare- headed.	} The sword of state born by the Earl of bareheaded, the scepter born by the Earle of bareheaded.	} Three Macers with their maces and footmantles bare- headed.

The crown born by the Marques of Douglas, bareheaded.

The Earle of Drumlanrick bearing the purse, with his Grace the Duke of Queensberry's Commission, bareheaded.

His Grace the Duke of Queensberry, his Majesties High Commissioner, attended with his servants, pages, and footmen; and in the return to the Palace having the High Constable on his right hand, and the Marischal on his left, with capes of permission, and in their robes.

The Dukes in their robes.

The Marquesses in their robes.

The Captain of his Majesty's Guard on the head of the troop of guairds, &c.

Extractum per me, A. C.

Sic

Sic subscribitur ANNA R.

Statutes and Orders of the most ancient and most noble Order of the Thistle, revived by her Majesty Anna, by the Grace of God, Queen of Scotland, England, France, and Ireland, Defender of the Faith, Sovereign of the said most noble Order, for the better regulating the proceedings and solemnities thereof in all the circumstances thereunto belonging.

IN the first place, we think fit to continue the ancient number of Knights, viz. Twelve brethren, with ourself the Sovereign of the said most noble Order, be the precise number of that order in all time coming.

That the Sovereigns habit be such as they shall think fit to appoint at any time hereafter: That the habit of the brethren of this order be a double and trunk hose of cloath of silver stockings of pearled coloured silk, with white leather shoes, garter and shoe-strings of green and silver, the breeches and sleeves of the doublet decently garnished with silver and green ribbands; a furcoat of purple velvet lyned with white taffata girt about the middle, with a purple sword half-edged with gold, and a buckle of gold, at which a sword with a gilded hilt, whereof the shells to be in form of the badge of the order, and pommel in form of a thistle in a scabbard of purple velvet, over all which a mantle or robe, of green velvet lyned with white taffeta, with tassels of gold and green, upon the left shoulder of which, in a field of green, St. Andrew the Apostle his image, bearing before him the Cross of his martyrdom of silver imbroidery, with a circle of gold round it, upon which the motto *Nemo me impune lacesset*, in green letters, and at the lower part of it a Thistle of gold and green, the flower reddish. About the shoulders is to be worn the Collar of the Order, consisting of Thistles and Sprigs of Rew going betwixt, at the middle of which before is to hang the St. Andrew, of gold, enameled white, or of diamonds, consisting of the number of thirteen just, the cross and feet of St. Andrew resting upon a ground of green, the collar to be tyed to the shoulders of the robe with white ribbands; upon their heads on days of solemn procession, or feasting, where the Sovereign is present, or has a Commissioner for that effect, they are to wear, at the time of permission, a cap of black velvet faced up with a border of the same, a little divided before, wide and loose in the crown, having a large plume of white feathers, with a black ecgritt or heron's top in the middle of it, the borders of the cap adorned with jewels.

G g 2

That

That the jewel of the said Order is to be worn at a green ribband over the left shoulder, cross the body, and tye it under the right arm. The jewel to have on the one side the image of St. Andrew, with the Cross before, enameled as abovesaid, or cutt on stone, enriched with precious stones round it, on the back of which shall be enameled a thistle gold and green, the flower reddish, with the before-mentioned motto round it; the ground upon which the thistle is to be done, shall be enameled green.

That the meddal of the Order be all of gold, being the St. Andrew, bearing before him the Cross of his Martyrdom, with a circle round, on which to be the motto of the Order, and at the lower part of the circle, between and the joyning of the words, a thistle, and to be worn in a green ribband as the jewel, at times when the jewel is not worn.

That upon the left breast of the coat and cloak shall be embroidered a badge of a proportionable bigness, being a St. Andrew's Cross of the silver embroidery, with rays going out betwixt the points of the cross, on the middle of which a thistle of gold and green upon a field of green, and round the thistle and field a circle of gold, having on it the motto of the Order in letters of green.

That her Majesty's royal Successors, Sovereigns of the said most ancient and most noble Order of the Thistle, shall, in all time coming, wear the said Order on the ribband of the Order of the Garter, or otherways, in any manner of way that her Majesty shall think fitt; and shall wear the Collar of the said order on the day of the feast of St. Andrew, being the 30th of November, yearly.

That the Knights brethren of the said Order shall wear their Collars on all Collar-days wherever the Sovereign is, and within Scotland, by obligation, upon all days of publick solemnities, whether the Sovereign be there or not.

That the Collar-days be the same ordinary Collar-days now observed by her Majesty; that the Collars with the St. Andrew belonging to it, and the Meddal of the Order given by her Majesty and Successors, Sovereigns of the said most noble Order, to the Knights of the Brethren thereof, at their admission, be returned at their death to the Sovereign.

The Order is to have a Great Seal in the custody of the Chancellor thereof, having on the dexter-side the St. Andrew's-Cross, and on the sinister the armes of Great Brittain, as they are carried by us in Scotland, incircled with the Collar of the Order, with the image of St. Andrew hanging at it, with the motto of the Order going round the seal. on the other side, the image of St. Andrew bearing a cross before him, with a Glory round his head, written round, *Magnum sigillum Antiquissimi et Nobilissimi ordinis Cardui.*

That there be a Secretary of the Order to transmitt the Sovereign's Orders to the Knights brethren, and that he attend her Royal Person; for that effect, he shall have, on days or solemnity, a mantle of green sattin lyned with white, on the left shoulder of which, the badge of St. Andrew's Cross; his ordinary badge is to be hung in a chain of gold, being a Thistle, gold and green, upon two peces crossed saltirways, with the motto round about it, and an Imperial Crown upon the tope; the Lyon shall have robes and badges upon his shouldier, conform to the Secretary, in

his hand his staff of office, and about his neck his badge, with the St. Andrew turned upward.

The Usher conform to the Secretary in all things, except his badge, which is to be two sprigs of Reu, in form of a St. Andrew's Cross, Vert upon a fund white, upon which a Thistle of gold, and round the motto upon which an Imperial Crown, and in his hand the batton of his office : before any can be admitted to the most noble Order of the Thistle, he must be a Knight Batchelour.

Here follows the Form of the Oath to be taken by all such as shall be admitted into this Order as Brethren.

1. I shall fortify and defend the true Reformed Protestant Religion, and Christ's Holy Evangel, to the utmost of my power.
2. I shall be loyal and true to my Sovereign Lady the Queen, Sovereign of the most ancient and most noble Order of the Thistle.
3. I shall maintain the Statutes, Privileges, and Honours of the said Order.
4. I shall never bear any treason about in my heart against our Sovereign Lady the Queen, but shall discover the same to her. So help me God.

The Oath being taken by the elect Knight, before any whom the Sovereign shall appoint, they may actually wear the badge and other ornaments belonging to the Order, and in regard we have not as yet named a person to be Chancellour of the said Order; and that there is no Great Seal belonging thereto; we doe therefore ordain, that our signet of the said Order, which is to be in the custody of our Secretary to the said Order, shall serve for any warrand or order that we shall think fitt to grant or committ for the nominating of any of the Knights Breithren or Officers, or any other thing relating to the said Order.

The Royal Chappel of our Palace of Holyrood-house to be the Chappel of the Order in time coming.

That no alteration of the habit, jewels, collar, badge, or other ordinances belonging to the said Order, or of the using or wearing of them, be offered to her Majesty by any of the Brethren without a concurrence of the major part of them. Given under our Royal Hand, and signed at St. James's, the 31st of December, 1703 years, and of our reigne the second year. *Sic subscribitur*, AN. R.

By her Majesties command. *Sic subscribitur*, CROMARTIE.

The Fees appointed by her Sacred Majesty Queen Ann, Sovereign of the most ancient and most noble Order of the Thistle, to be paid by those who shall be admitted as Knights Brethren of the said Order, in their admission thereto.

	Sterling Money.		
To the Secretary of the Order	55	11	$1\frac{1}{2}$
To the Commissioners Servants	8	6	$7\frac{2}{3}$
To the Church-fees, viz. ringers of bells	5	11	$1\frac{1}{3}$
To the Usher of the Order	8	6	$7\frac{2}{3}$
To the Queen's Ushers	5	11	$1\frac{1}{3}$
To the Lyons Office, Heralds, &c.	27	15	$6\frac{2}{3}$
	111 2 2		

We do hereby order and require all who are or shall be admitted as Knights Brethren of the most ancient and most noble Order of the Thistle, to pay the fees according to a distribution upon their being admitted to the said Order. Given our royal Hand, and signed of the said Order at our Court at St. James's, the 29th of October, 1705, and of our reign the 4th year.

This is a true copy of the Statutes and Orders signed by her Majesty.

Examined and compared with the original.

By me, *Sic subscribitur*, DAVID NAIRNE, Sec. Nob. Ord. Cardui.

A Note of the several Fees payable to Garter, and the two Provincial King of Armes, the six Heralds, and four Pursevents at Armes, upon the Knighthood, Election, and Installation of every Knight of the Garter, of the several Degrees following, viz.

	Sterling.		
Upon the installation of a stranger King to the Garter, for his attendance only	30	00	00
To the two provincial kings, six heraulds, and four pursevents	30	00	00
Four kings has a double share to each herauld, and each herauld a double share to each pursevant; so that a king's share comes to 5l. each herauld 50s. and each pursevant 25s.			
Upon the instalment of a stranger prince to the Garter, for his attendance only	20	00	00
	To		

FEES FOR ORDER OF THE GARTER.

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To the two kings, six heralds, four pursevents, as above	—	20	00	00
Upon instalment of prince of Wales to the Garter, for fees of attendance	—	40	00	00
More to him for his Royal Highness's upper garment	—	60	00	00
To the several officers of Armes as above	—	40	00	00
More to them due of scarfs, hats and feathers, at 10l. each	—	120	00	00
Upon the instalment of a Duke, the sovereign's subject, and for his upper garment	—	55	00	00
To ditto for instalation fee	—	35	00	00
To the officers of armes	—	20	00	00
Whereof to each of the provincial kings 3l. 6s. 8d. to each six heralds 1l. 13s. 4d. and to each pursevant 16s. 8d. in all 20l.				
To each of them in due of scarfs, hats, and feathers	—	02	13	04
To each of the three kings for proclaiming the instalment 14s. 3d. to each of the heralds for ditto 7s. 1½d. to each of the four pursevents for ditto 3s. 6¼d. in all	—	05	00	00
To each of the two kings for the knighthood fee 19s. 4d. to each of the six heralds for ditto 9s. 8d. to each of the four pursevents for ditto 5s. 10d. to garter 2l. 10s. in all	—	08	10	00
Upon the Instalment of a Marques.				
To the garter for his upper garment	—	50	00	00
To ditto for his attendance fee	—	30	00	00
To the officers of armes which is divided in propers before	—	18	00	00
Nota, the hat and feather money fees for proclaiming stile and knighthood, are the same for all degrees as for a Duke, and are divided as above.				
Upon the Instalment of an Earle.				
To the garter for his upper garment	—	45	00	00
To ditto for his instalation fee	—	25	00	00
To the other officers of armes	—	16	00	00
Upon the Instalment of a Viscount.				
To the garter for his upper garment	—	40	00	00
To ditto for his instalation fee	—	20	00	00
To the other officers of armes	—	14	00	00
Upon the Instalment of a Baron.				
To garter for his upper garment	—	35	00	00
To ditto for his instalation fee	—	15	00	00
To the other officers of armes	—	12	00	00
Upon the Instalment of a Knight Batchelor.				
To garter for his upper garment	—	30	00	00
To ditto for his instalation fee	—	10	00	00
To the officers of armes.	—	10	00	00

Coppie

Coppie Suspension Sir Charles Areskine, Lyon King of Armes,
and his brethren, Heraulds and Pursestants.

against

The Provost and Baillies of Edinburgh.

CHARLES, by the Grace of God, King of Great Britain, &c. For as meikle as it is humbly meand and shewn to us by our Lovites Sir Charles Areskine of Cambo and barronet, Lord Lyon king of Armes, and his brethren heraulds and pursestants, and their clerk of court, that were dayly troubled, molested, and pursued, at the instance of our Provost and Baillies of our burgh of Edinburgh, and their collectors, for payment makeing to them of certain taxations, impositions, stents, annuities, watchings, wardings, and other burdens, conform to their decreets, stent, rolls, and other acts and orders given and pronounced by them within a certain short space next after the charge, under the pain of Rebellion, poynding, warding, and puteing of the saids Comptrolers to the horn most wrongously; considering it is of verity that the saids Comptrolers are most unjustly troubled, stented, and taxed by the said Provost and Baillies of Edinburgh, and charged by their said collectors for the samen, in respect it is of verity that our deceast and late father of ever blessed memory, by his letters of gift and exemption of the date, 27 day of June, 1632, has exeemed, and exeems, the Lyon King of armes, his brethren, and pursestants, and their clerk of court, and their successors, from all taxations, impositions, watchings, wardings, and other burdens whatsoever, discharging thereby all and whatsoever our leidges, that they, nor none of them, tax, ward, impose, upon them any taxations, stents, impositions, watchings, wardings, in any time thereafter, as the said letters of gift and discharge, extracted furth of our register of our privy seal, under the subscription of Andrew Martine, depute clerk to our clerk of Register, shewn to the Lords of our Council and Session, has testified, like as by Seal, Acts of Parliament, and especially by one Act of Parliament by our late good Sir James the Sixth, of ever blessed memory, Parliament 15, December 19, and year 1597 years, Act 279, our said good Sir, and three estates of Parliament Statute, and ordained, that the inhabitants within burghs should be burdened with the rest of the inhabitants. Providing always, that the foresaid Act be no ways extended to such as are executed for our service, nor to any persons that are members of our Colledge of Justice, as the said Act extracted under the hand of Sir Archibald Primrose, our Clerk Register, shewn to our saids Lords at length bears, and so in respect of the foresaid gift and exemption the saids Comptrollers ought to have suspension without caution or consignation, and therefore the saids Lords

decreets

decreets, acts, charges, and others foresaids, ought and should be suspended, upon the clauses foresaids as is alledged.

OUR WILL IS HEREFOR, and we charge you, that ye lawfully summon, warn, and charge the said provost and baillies of our burgh of Edinburgh, and their collectors, to compear before the Lords of our Councell and Session at Edinburgh, or where it shall happen them to be for the time, the tenth day of November next to come, in the hour of cause, with continuation of days, bringing with them the saids decreets, stent-rolls, and other acts and orders, and letters raised thereupon, to be seen and considered by our saids Lords, and to hear and see the samen simpliciter suspended upon the saids complainers, for the reasons and causes foresaids, and others. Attour Wee, and the saids Lords in our name, and by the tenor hereof, suspends the said decreets, stent-rolls, and all other acts, orders, poynding letters raised, or to be raised thereupon, against the saids complainers and dischargers, all our messengers of armes, and other officers, of using or puteing the samen to any furder execution, and of their office in that part, in the mean time, while the fifteen day of the samen month, and that without caution, because of the gift produced, and act of parliament above written, according to justice, as ye will answer to us thereupon; the which to do wee commit to you conjunctly and severally our full power by thir letters, delivering them by yow duly execute and indorfed again to the bearer. Given under our signet at Edinburgh, the twenty-fourth day of October, and of our reigne, this fifteen year 1663.

Ex deliberatione Dominorum Consillii sic subscr. William Russell, signet the 27th October, 1663.

Examined the second day of Nov'er 1694 years.

An exact LIST of the LYON OFFICE, as follows; viz.

Sir Alexander Arckine Lord Lyon; George Porteous Marchmont Herald; William Gowan Ila Herald; William Glover Rothsay Herald; Henry Frazer Rofs Herald; James Barr Albany Herald; Peter King Sua Down Herald; James Spence Ormond Pursevant; John Hog Bute Pursevant; Peter Wilson Carick Pursevant; James Guthrie Dingwall Pursevant; William Hume Unicorn Pursevant; and Alexander Barbour Kintyre Pursevant; and Robert Smith, their Clerk of Court, Sec.

Sic subscr. Ketsen, Messenger.

INSTRUMENT upon the Lodgment of the REGALIA * ;

viz. CROWN, SCEPTER, and SWORD,

Within the Castle of *EDINBURGH*.

At the Castle of Edinburgh, and within the crown rowme there, betuixt the hours of one and two afternoon, of the twenty-sixth day of March, in the *M^o_{vii}* and seventh year of our Lord, and sixth year of the reign of her Majestie, Anne, by the Grace of God, Queen of Scotland, England, France, and Ireland, Defender of the Faith.

THE 9th day, in presence of Us Nottarys Publick, and Witnessees under subscribing, compeared personally William Willfone, one of the under Clerks of Sessione, depute Marishall, for himself, as procurator for and in name and behalf of William Earl Marishall, Lord Keith and Altrie, &c. Great Marishall of the kingdom of Scotland, heretable keeper of the REGALIA thereof, viz. Crown, Scepter, and Sword; and there, in presence of David Earle of Glasgow, Lord Boyle, &c. Lord Theasurer depute, who, for himself, and in name of the remanent Lords Commissioners of Theasury, was present to receive the above REGALIA; The said William Willfone, after producing and reading a procuratory granted by the said noble Earle to him of the contents therein and after mentioned, dated and registrat in the books of Council and Sessione, upon the twenty-fifth day of March instant, did also produce to the said Lord Theasurer depute, a schedule signed by him and us Nottars Publick under subscribing, containing one inventory and particular descriptione of the said REGALIA, as follows: The Imperiall Crown of Scotland is of pure Gold, enriched with many precious stones, diamonds, pearles, and curious enamellings; its parts and specific form are these; (1mo,) It is composed of one large broad circle, or fillet, which goes round the head, adorned with twenty-two large precious stones; viz. topaces, amethysts, garnets, rubies, emeraulls; and hyacinths, in collets of gold of various forms, and with curious enamelings, and betwixt each of these collets and stones are interposed great orientall pearls, one of which is wanting. (2do,) Above the great circle there is another small one, formed with twenty points, adorned with the like number of diamonds and sapphires alternat, and the points are loped with as many great pearles, after which forme are the coronets of our Lords Barrons. (3tio,) The upper circle is releivate, or heightened with ten crosses floree, each being adorned in the entery with a great

* The Earl of Buchan presented to the Society of Antiquaries of London the original, signed by the Notaries and Witnessees, and curiously illuminated.

It is incorrectly printed in Maitland's History of Edinburgh, p. 161—164.

A good Painting of the Regalia is preserved in the Meeting Room of the Corporation of the Scottish Hospital in Crane Court. EDIT.

diamond betwixt four great pearls placed in the cross X, I and I; but some of the pearls are wanting, and the number extant upon the upper part crown, besides what are in the under circle, and in the cross patee, are fifty-one, and these crosses floree are interchanged with other ten high flowers-de-lys, all alternative, with the foresaid great pearls below, which top the points of the second small circle. Nora, 'This is said to be the antient form of the crown of Scotland, since the league made betwixt Achaius King of Scots and Charles the Great of France, the specifick form of our crown differing from other crowns, in that it is heightened or raised with crosses floree alternatly with flowers-de-lys; the crown of France is heightened only with flowers-de-lys, and that of England with crosses patee alternatively with flowers-de-lys. Our Crown of Scotland, since King James the Sixth went to England, has been ignorantly represented by herald painters, engravers, and others, tradesmen, after the forms of the Crown of England, with crosses patee, whereas here is not one but that which topes the mond; but all crosses floree, such as we see in our old coines, and these which tope our old churches. These crowns were not antiently arched or clofs. Charles the Eighth of France is said to be the first in France who took a clofs crown, as appears by his medalls coined in the year 1495, being designed *Imperator Orientis*. Edward the Fifth of England, in the year 1483, carried a clofs Crown, as is observed by Selden; and our crown is arched thus: (4to,) From the upper circle proceed four arches, adorned with enameled figures, which meet and close at the tope, surmounted with a mond of gold, or celestial glote, enameled blue semee, or powdered with starrs, crossed and enameled with one large cross patee, adorned in the extremities with a great pearle; such a cross topes the Church of Hoolywood-house; and cantoned with other four in the angles, in the center of the cross-patee, is a square amethyst, which poynts the fore part of the crown; and behynd, or on the other syde is a great pearle; and below it, on the foot of the palar part of the Cross are these Characters; I. R. 5. by which it appears that King James the Fifth was the first that closed the crown with arches, and topped it with a mond and cross patee; but it is evident, (1mo,) That the money and medalls coined in the reign of King James the Third and Fourth, have a clofs crown, and it is no less clear that the arches of the Crown were not put there from the beginning, or at the making of the Crown, because (1mo,) they are tacked by tacks of gold to the antient Crown. (2do,) The workmanship of the arches is not so good, and there is a small distinctione in the fineness betwixt the first and the last; the later being superfine gold, and the other not so exactly to that standard, whereof tryall has been made. (5to,) The tyare or bonnet of the crown was of purple vellvet; but in the year 1685, it got ane cape of crimpstone vellvet, adorned as before, with four plates of gold, richly wrought and enameled; and on each of them are great pearls half inch in diameter, which appears between the four arches; and the bonnett is turned up with ermine upon the lowest circle of the crown; immediately above the ermine there are eight small holes disposed two and two together, on the four quarters of the crown, in the middle space betwixt the arches, to which they have laced or tyed diamonds, or precious stones. The crown is nine inches broad in diameter, being twenty-seven inches about, and in hight from the under

circle to the tope of the crofs patee fix inches and ane half; it allways stands on ane square cuthione of crimfone vellvett, adorned with freinges, and four tassells of gold thread hanging down at each corner.

The SCEPTER. The stalk or stem of the Scepter being silver double overgilt, is two feet in length, of hexagone forme, with three buttons or knots answering thereto; betwixt the first button and the second is the handle, of hexagon forme, furling in the middle, and plain betwixt the second and the third button. There are three sydes ingraven; that under the Virgin Mary (one of the statues that are on the tope of the stalk) is the letter I; upon the second syde under St. James, the letter R; and on the third under St. Andrew, the figure 5. The syde betwixt I. and R. is ingraven with fourteen flowers-de-lys, and on the syde, betwixt the figure 5, and the letter I. are ten thistles continued from one stem; from the third button to the capitall, the three sydes under the statues are plain, on the other three are antique ingravings, viz. sacramental cups, antique Medusa's heads, and rullione follyadyes; upon the tope of the stalk is an antique capitall of leaves imbossed, upon the abacus whereof arises round the prolonged stem, surrounded with three statues, first that of the Blessed Virgine crowned with ane open crown, holding in her right arme our Blessed Saviour, and in her left hand a mond ensigned with a crofs; next to her stands on her right hand the statue of St. Andrew in ane apostolicall garment, and on his head a bonnet like a Scots bonnet, holding in his right hand a Crofs or saltire, a part whereof is broke off, and in his left elevate a book open; on the Blessed Virgin's left hand, St. Andrew's right hand, stands another statue, seeming to represent St. James, with the like apostolical garment, and ane hanging neck super-added thereto, and upon his head ane litle hat, like to the Roman pilium, in his right hand half elevate a book open, and in his left a pastoral staff, the head is broke off. And above each statue, being two inches and a half, except the Virgine, which is a little less, the finishing of a Gothick niche; betwixt each statue arises a rullione, in forme of ane Dolphine, verry distinct, in length four inches foliadge along the body, their heads upwards, and effronted inward, and the turning of their taills end in a rose or cinquefoill; outward above these rullions and statues stands another hexagon button, or knott, with oak leaves under every corner, and above it a cristall globe of two inches and a quarter diameter within three barrs jointed above, where it is surmounted with six rullions, and here again with ane ovall globe, topped with ane orientall pearle ane half inch diameter. The whole Scepter in length is thirty-four inches.

The SWORD. The Sword is in length five foot; the handle and pommell are silver overgilt, in length fifteen inches; the pommell is round, and somewhat flatt on the two sides; on the middle of each there is of embossed work a garland, and in the center there have been two enambled platts, which are broke off; the traverse or crofs of the sword, being of silver overgilt, is in length seventeen inches and ane half; its form is like two Dollphines, their heads joining, and their taills end into acornes; the shell is hanging down towards the point of the sword, formed like an elcallope, flourished, or rather like ane great oak leaff; on the blade of the sword are indented with gold these letters, Julius H. P. The scabbard is of crimfone vellvett,

vellvett, covered with silver gilded, and wrought in philagrin work into branches of the oak tree leaves and accornes. On the scabbard are placed four round plates of silver overgilt, two of them near to the crampet are enameled blue, and therein golden characters, "Julius II. pon. max. n.". At the mouth of the scabbard, opposite to the heck is ane large squair plate of silver, enameled purple, in a cartouch azure, ane oak tree eradicated and fructuated Or, and above the cartouch the papal ensign; viz. two keyes-in saltire adose, their bowels formed like roses, or cinquefoills, tyed with trapines and tassels hanging down at each syde of the cartouch; above the keys is the papall tyare environed with three crowns, with two labells turned up, adorned with crosses. Pope Julius the Second, who gifted the sword to King James the Fourth, had for his armoriall figures ane oak tree fructuated, which is the reasone the sword is adorned with such figures, a Hill and a Star, which figures I find not on any part of the sword; if they have been on the two enameled plates, which are lost off from the pommell, I know not; but it is certain, this Pope had such figures, as appears by these verses, made by Voltuline, a famous Italian Poet, as the same are mentioned by Hermanus Hermes, a German writer, who gives us these lines found in the monastrey :

*Quercus, Mons, Stella, formant tua Stemmata, Princeps,
Hisque tribus trinum stat Diadema tuum.
Tutor Navis Petri mediis non flectitur undis,
Mons tegit a ventis, stellaque monstrat iter.*

And thereafter, upon delivery of the above REGALIA to the said Lord Theasurer depute, and upon lodging thereof with the foresaid descriptione of the same, in ane orderly manner, in one chist within the said crown-room, the said William Wilfone as procurator for, and in name and behalf of the said William Earle of Marishall, and in the termes of the said procuratorie, protested, that the delivering up of the REGALIA aforesaid shall not invalidate or be prejudiciall to the said Earle Marishall his heretable right of keeping thereof, both in tyme of parliament and intervalls, either in the said Earle his castle of Dunnottar as hitherto his ancestors have done, or any where els within the kingdome of Scotland that his lordship and his successors shall think secure and convenient; as also in the termes of act ratifying the Unione between the kingdome of Scotland and the kingdome of England, whereby it is stipulated and agreed by both Parliaments, That the Crown, Scepter, and Sword of State, shall be continued to be kept, as they are at present, within this kingdome of Scotland, and that they shall remain so in all tyme comeing, notwithstanding of the Unione; protested that they shall remain within the said crown-roume of the Castle of Edinburgh; and in caice the Government shall find the transportation therof from Edinburgh-castle to any other secure place within this kingdome at any tyme hereafter necessarie, protested also that the same may not be done untill intimatione to the said Earle Marishall and his successors, to the effect his lordship and they may attend and see them safely transported and securely lodged; and made due and lawful intimatione of the premisses to Collonell James Stewart, deputy-governor of the said Castle then present; that he might not pretend

tend ignorance; as also as procurator foresaid, and likeways for himself as continued keeper of the said REGALIA by deputatione from the said Earle Marishall, and the decest George Earle Marshall his father, since the third day of August, 1681 years, and in the reign of King Charles the Second, King James the Seventh, King William and Queen Mary, and of her present Majesty Queen Ann, declared, that the same are now delivered to the said David Earle of Glasgow, Lord Thesaurer depute, for himself and in name forsaid, in the same state and condition he then received the same; and offered to give his oath, that he the said William Willfone, nor none to his knowledge, has ever directly or indirectly embasled or taken away from the said REGALIA any of the jewels, pearls, or others appertaining thereto: and therefore, seeing he had with exact care and continued fidelity and honesty discharged the said trust reposed in him, did protest to be liberate and exonerate for his administratione in the said office, during the said hail bygone space; without prejudice to the said Earle Marishall of keeping the same in all tyme coming as formerly by himself, and the said William Willfone as his depute, or any other whom his lordship shall appoint. And upon all and sundry the premisses, the said William Willfone for himself and as procurator for, and in name and behalf of the said William Earle Marishall, asked and took instruments ane or mae in the hands of us Nottars Publick under subscribing. Thir things were done, place and time as mentioned, before and in presence of Mr. David Leslie, son to the Earl of Leaven, governor of the Castle of Edinburgh; Sir James M'c Kenzie, Knight and Baronet, clerk of the Thesaury; George Allardice of that ilk; captain John Cockburn, son to the decest Mr. John Cockburn, Advocate; Francis Dunlope of that ilk; William Morrisfone, of Preston Grange; James Mallcome, of Grange, and captain Patrick Auchmulie, two of the Earl Marishalls battoneers; John Barclay of Caljarmey; Patrick Durham of Omachie; Mr. George Erskine, son to Sir George Erskine, of Ballgownie, decest; William Murray, writer to the Signet; Thomas Gibfone, writer in Edinburgh, son to the decest Sir Alexander Gibfone, of Pentland, one of the clerks of Session; Mungo Smith, John Reid, Walter Murray, and Robert Bull, Merchants in Edinburgh; Mr. John Corfan, Alexander Keith, George Forbes, Alexander Farquherson, and Alexander Johnson, writers there; John Hog and David Graham, Macers of Privy Councill; Charles Maitland, John Adam, Andrew Graham of Jordieslon, and Patrick Grant, of Bonhard, four Macers of Session; John Lethem, her Majesties Smith; David Graham, eldest lawful sone to the said David Graham, Macer of Privy Councill; William Robertfone, sone to William Robertfone, one of the under Clerks of Session; Robert, Dowglas, eldest lawful son to Captain Robert Dowglas of Millrigg, Merchant, in Edinburgh, with diverse other witnesses specially called and required to the premisses.

Of the probable subsequent Disposal of these REGALIA,
let us hear Mr. A R N O T.

“ IN the S. E. corner of the castle at Edinburgh, state prisoners are kept ; and in one apartment, called the *Crown Room*, it is pretended that the Regalia of Scotland are deposited. That they were lodged there with much formality, on the 26th of March 1707, is certain ; whether they be there still, is very problematical. If they be, nothing at least can be more absurd than the way in which they have been kept. The way to preserve an object of great value is, not to lock it up for ever from the eyes of the publick ; quite the reverse. It is by producing it at stated times, before certain officers, as representing the publick. Now, since the Regalia were deposited, no governor of the castle, upon his admission, has made inquiry if they were left secure by his predecessor. No mortal has been known to have seen them ; whether it was, that the Government entertained a jealousy, that the Scots, in their fickleness or disgust, would repent themselves of the Union ; or, that they dreaded the Regalia might, upon an invasion, fall into the hands of the heir of the House of Stuart ; it appears probable, that the Regalia have been privately removed, by a secret order from the Court ; for it is impossible that any governor of the castle would abstract them without authority. If, after this general surmise, so publicly thrown out, the officers of state, and governor of Edinburgh Castle, will not make personal inquiry whether the Regalia of Scotland be still in the Castle, the publick will be entitled to conclude, that they are no longer there, and that they have been carried off by private orders from the Court *.”

* Arnot's History of Edinburgh, p. 291.

END OF NUMBER XLVII.

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T O P O G R A P H I C A
B R I T A N N I C A,
N^o XXXVI.

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- II. An Account of the ROMAN CAMPS of BATTLE DYKES and HAERFAUDS, with the *Via Militaris* extending between them, in the County of FORFAR. By the Rev. Mr. JAMESON.

* * * This *Number* contains SIX PLATES, all properly paged.

[Price Three Shillings.]

ERRATA, occasioned by the Author's being out of Town.

Page.	Line.	
10.	7.	r. "Comrie."
11.	ult.	r. "to ascertain."
13.	5.	r. "Garnie-hill."
—	11.	r. "advanced post."
15.		For the accurate dimensions of this camp, see Plate III. from the corrected survey, made in 1785, now in the possession of the Earl of Buchan.

Page.	Line.	
15.	6, 7.	r. "in the shire."
—	21.	r. "100 paces."
23.	20.	r. "Galgachan - Rofs - moor, near Comrie."
24.	<i>passim</i> ,	r. "Bodotria."
25.	<i>antepon</i> .	r. "Comrie."

R E M A R K S

On the P R O G R E S S of the

ROMAN ARMY IN SCOTLAND,

D U R I N G

The S I X T H C A M P A I G N of A G R I C O L A,

W I T H

A P L A N and D E S C R I P T I O N of the C A M P at R A E D Y K E S.

A L S O

An A C C O U N T of the ROMAN CAMPS of BATTLE DYKES and
HAERFAUDS, with the *Via Militaris* extending between them,
in the County of FORFAR; by the Rev. Mr. J A M E S O N.

L O N D O N,

P R I N T E D B Y A N D F O R J. N I C H O L S,

P R I N T E R T O T H E S O C I E T Y O F A N T I Q U A R I E S.

M D C C L X X X V I.

MAP
of
CALEDONIA, VE SPASIANA,
and
VALENTIA.
from
Ricardus Corinensis.



Insula
Thule

MARE
THVLE

MARE ORCADVM

EBUDES

Ebuda I

Ebuda II

Ebuda major

Ebudum pr

ORCADES

Veredum
provincia

Extrema
caledonia

THVLE

Durina

Ocetis

Virubrium pr.

Abona fl.

Penoxallum pr

Ara finium
Imp. Rom.

Varar Estuarium

Salicallorum
prom

Funa fl.

Deva fl.

Sica fl.

Podotria fl.

Vuedus fl.

Alauna fl.

Pina fl.

Epiaun
fl.

Alauna fl.

Alauna fl.

Alauna fl.

Alauna fl.

Alauna fl.

Alauna fl.

Alauna fl.

Alauna fl.

Alauna fl.

Alauna fl.

EBUDES

Ebuda I

Ebuda II

Ebuda major

Ebudum pr

ORCADES

Veredum
provincia

Extrema
caledonia

THVLE

Durina

Ocetis

Virubrium pr.

Abona fl.

Penoxallum pr

Ara finium
Imp. Rom.

Varar Estuarium

Salicallorum
prom

Funa fl.

Deva fl.

Sica fl.

Podotria fl.

Vuedus fl.

Alauna fl.

Pina fl.

Epiaun
fl.

Alauna fl.

Alauna fl.

Alauna fl.

Alauna fl.

Alauna fl.

Alauna fl.

Alauna fl.

Alauna fl.

Alauna fl.

Alauna fl.

EBUDES

Ebuda I

Ebuda II

Ebuda major

Ebudum pr

ORCADES

Veredum
provincia

Extrema
caledonia

THVLE

Durina

Ocetis

Virubrium pr.

Abona fl.

Penoxallum pr

Ara finium
Imp. Rom.

Varar Estuarium

Salicallorum
prom

Funa fl.

Deva fl.

Sica fl.

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Ebuda II

Ebuda major

Ebudum pr

ORCADES

Veredum
provincia

Extrema
caledonia

THVLE

Durina

Ocetis

Virubrium pr.

Abona fl.

Penoxallum pr

Ara finium
Imp. Rom.

Varar Estuarium

Salicallorum
prom

Funa fl.

Deva fl.

Sica fl.

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Ebuda major

Ebudum pr

ORCADES

Veredum
provincia

Extrema
caledonia

THVLE

*Remarks on the Progress of the Roman Arms in SCOTLAND, during
the Sixth Campaign of AGRICOLA.*

L E T T E R I.

S I R,

Edinburgh, December 10, 1784.

NEXT to the united loss of health and character, accompanied by the gnawing torments of an evil conscience, is the misfortune to a good man of surviving the virtue, the glory, and the happiness of his native country.

This misfortune is ours; and such has been the accumulation of disgrace and discomfiture that has fallen on us as a people, since the last wretched twenty-four years of the British annals, that I turn with aversion from the filthy picture that is before my eyes, and look back for consolation to the times which are past.

It was in seeking, Sir, for such opiates to the watchful care of a good citizen in a falling empire, that I fell into Antiquarian research, and I shall give you from time to time the results of it.

I begin with the first feature of the History of Scotland, the conquests of Cnæus Julius Agricola.

B

“ In

“ In the third year of his command in Britain, in pursuit of
 “ his conquests, he discovered new people, by continuing his
 “ devastation through the several nations quite to the mouth of
 “ the Tay; and when he had inspired the people with sufficient
 “ terror, he secured possession of the country by erecting forts
 “ in the most important situations.” Many of these are yet to
 be traced in the counties of Sterling and Perth, and are described
 with plates in Sir Robert Sibbald’s Works, and Mr. Gordon’s Itine-
 rarium Septemtrionale.

“ The fourth summer was employed in settling and securing
 “ what territories he had over-run, which were chiefly those to
 “ the south of the Forth and Clyde, though fortresses had been
 “ erected further north, to repel the invasions of the Cale-
 “ donians, as has been already observed.”

“ In the fifth year of the war, Agricola passing the Firth of
 “ Forth, subdued the people of Fife, Kinross, and part of Perth-
 “ shire, so continuing his conquest to the former seat of the
 “ war, and to his forts, by a different approach, and preparing
 “ for a more northern invasion.”

In the summer of the sixth year of his administration,
 Agricola completed his conquest of the Eastern coast of Scotland,
 quite to the extremity of the British island; and this campaign
 I propose to consider with attention, to quote the most important
 passages from Tacitus concerning it, and to make observations
 upon the whole.

To do this, I am led with a view to determine the scene of
 the last decisive victory which was obtained by Agricola over the
 combined force of our barbarous ancestors, commanded by a
 chief to whom Tacitus gives the name of Galgacus, which has
 enough of the native language of Gaëlic in it, to shew that with
 a Latin termination, it nearly imitates the name which a captive
 would



would give to him who held the supreme authority among the Clanns.

The scene of this victory has been hitherto laid in Stirlingshire, or the county of Perth; and the remains of Roman encampments and fortifications have been adduced as proofs of the conjecture; but I shew that it is altogether incompatible with the distinct and beautiful account given by Tacitus of the operations and march of his father-in-law, and with the nature of the war, and of the country.

Besides, from my learned and inquisitive correspondents in the North of Scotland, I have received accounts of the remains of Roman works and encampments in the neighbourhood of the north-eastern termination of the Grampian hills, which agree with the account I am about to lay before you from the best authority.

For the conveniency of your acquaintance in the present rapid decline of erudition, I shall give you Tacitus in the stiff but faithful translation of Thomas Gordon.

“ In the summer, which began the sixth year of his administration, as it was apprehended that the *nations forward*¹ would universally take arms, and because the ways were all infested with the enemies host, his first step was to coast and explore *the large communities beyond Bodotria*², by the means of his fleet, which was from the beginning employed by him as part of his forces, and in attending him at this time, made a glorious appearance, as at once invading by sea and land. Indeed the same camp often contained the foot and the horse, *and the marines*, all intermixed and rejoicing in common, severally magnifying their own feats, their own hazards and adventures. Here were displayed the

¹ Nations to the North of Forth and Clyde.

² Beyond the Firth of Forth.

horrors of steep mountains ¹ and dismal forests, there the outrages of waves and tempests ²; these boasted their exploits by land and against the foe, *those the vanquished ocean*; all vying together according to the usual vaunts and ostentation of soldiers. Upon the Britons ³, as was learned from the captives, the sight of the fleet brought much consternation and dismay, as if now *that their solitary ocean* and recesses of the deep were disclosed and invaded, the *last refuge* of the vanquished was cut off.

When therefore he had sent forward the navy, which, by committing devastations in several places, would not fail to spread a mighty and perplexing terror; he put himself at the head of his army lightly equipped, and added to it some of the bravest Britons, and with the whole *continued* his march till he arrived at the Grampian hills.

“ For besides (says Galgacus) that bondage is what we never have borne, we are so beset that beyond us there is no further land, nor in truth is there any security left us from the seas, *whilst the Roman fleet* is hovering on our coasts.”

“ Beyond us no more people are found, nor aught save seas and rocks.”

In Agricola's speech, “ we have passed the limits which we found; *ye those of former armies: and we possess the very extremity of Britain*, not only in bruitings of fame and vulgar rumour, but with our camps and arms.” “ *Britain is entirely discovered and entirely subdued*. Indeed, as the army has been marching whilst in passing morasses and mountains, and rivers, you have been fatigued and distressed, I was wont to hear every

¹ The woody Grampians.

² The German sea.

³ The Romans gave the name of Britons to the people on the Eastern coast of Scotland, to those of the West that of Caledonians,

“ man,

“ man, even the bravest ask, when shall we see the enemy? when shall we be led to battle?”

“ *For us to have marched over a tract of country so immense, to have passed through gloomy forests, to have crossed arms of the sea, is matter of glory and applause.*”

“ When the summer was passed, and thence an impossibility of extending the operations of the war, he reconducted his army to the borders of the Horesti¹. There he received hostages for *the Caledonians*, there he sent orders to the admiral to sail round Britain; and the terror of the Roman power having gone forth, he himself *at the same time* led on his horse and foot with a slow pace; that thus the minds of *the new nations* might be awed and dismayed by prolonging his march through them. He then lodged his army in garrison for the winter.”

From these quotations in particular, but from the whole account of Agricola's motions in general, it appears,

1st, That the plan of Agricola was to make his attacks on the large communities to the north of Bodotria, with the terrific aid of his fleet.

2dly, That his camp consisted of a mixed force, with marines, occasionally drawn from the fleet.

3dly, That the solitary ocean and recesses of the deep hitherto unexplored, cannot refer to the scenes formerly supposed to have been the seat of the war when it was ended by Agricola in his sixth campaign.

4thly, That the fleet was sent forward, and the march continued under its protection and awe till the army advancing

¹ The people in the midland district of Scotland, south of Tay, where the forts were placed at the entrance of the Highlands, and where he received hostages for their conduct during the absence of the army.

coast-wise, reached the North-eastern termination of the range of the Grampian hills in Aberdeenshire.

5thly, That Galgacus, in his harangue, talks of the country and of his allied army as so beset that beyond them there was no further land; and that the Roman fleet lay hovering on the coast.

6thly, That the army of Agricola then possessed the very extremity of Britain, and had passed the limits pervaded by any former force; that the troops had been dispirited by the great length of their march, and had despaired of their meeting with the foe which was collecting in strength in the Highlands, and came down to the Lowlands, when it was in sufficient force to face the Roman army.

7thly, and lastly, That the army of Agricola had marched over a country *so immense*, had crossed such arms of the sea, as had raised to the highest celebrity the prowess of the Roman army, a description which exactly corresponds to the North-eastern termination of the Grampian hills, but to no other part of Scotland.

It appears from the Life of Agricola, by Tacitus, that the Romans now sailed the Deucaledonian sea, subduing the isles of Orkney, till then unknown, and deservyng the Shetland isles, or, as some imagine from the description of it, as hid by winter under eternal snow, the Island of Iceland.

These remarks, Sir, will, I hope be agreeable to you, and amusing at least, if not instructive.

It gives me pleasure to call the attention of the learned to my neglected country, now become a dispirited province of the British union, and, as cursed with a very bad and inconstant climate, must become the most wretched of all countries on the face of the globe, if it is to continue to pay its clnb with
England,

England, without resources, without erudition, taste, or morals, to prevent it from being crushed under the ruins of an old and wealthy state to which it is now united, or to assuage her sorrows and sufferings. I consider Scotland my native country, as a rude but noble medallion, of ancient sculpture, which ought not to be defaced or forgotten in the cabinet of nations, because it lies next to one *more beautiful, more polished* and elegant, but of less *relief*.

The English are a generous people; they love their country, and boast of it. I wish to God they had more cause, and that from the corruption of their manners there was not too great a probability of their losing the greatest of all blessings, *and that sooner than they are aware of*; but this I am certain of, that they never can esteem us the less for preserving *our ancient national character* (if alas! it yet remains), which though it made them bleed at Bannockburn, gathered laurels for *them* afterwards in every quarter of the globe. I am,

S I R,

with regard,

Your obliged humble servant,

ALBANICUS.

L E T T E R II.

S I R,

Edinburgh, February 8, 1785.

I RESUME the subject of the progress of Agricola, in his sixth campaign, as described by the nervous but laconic pen of his son-in-law, which, as it terminated the war undertaken against the combined force of Caledonia, and gave occasion to the beautiful and characteristic description with which the philosophic historian has adorned his immortal pages, cannot fail of being acceptable to the public.

It has been my ambition to legitimate the minute and curious investigation of the antiquary, by making it subservient to the purposes of the historian, and of the philosopher; and as I shall probably have occasion to repeat my communications to you on subjects of greater importance, it is necessary that I should give you my scope of antiquarian research. I consider the study of human nature, and the knowledge of what has happened to mankind in the various ages and climates of the world, *leading to the improvement of society by government*, as the first of studies, and the best of sciences.

This study can be rendered practicable only by separating authentic records and proofs of authenticity from the fabulous tradition common to all countries as it is to all families.

All governments have arisen from contingency, or imitation; and none have been attempted to be formed, or even improved, on the radical principles of man's nature, because all legislators have laid plans for men, such as they ought to be, but such as they are not, and never will be.

It becomes therefore the proper object of him who searches into antiquity to discover the natural bent of social man; the customs

customs which are too strong for laws; and the errors which have brought every nation to its fall by gradations so uniformly marked, in the history of the world, that they invite the friends of humanity to explore the political disease, and to point out its remedy.

This is the first object of the rational and philosophical Antiquary; for “the proper study of Mankind is Man;” and that study is the Antiquary’s, because man cannot be known without exploring his follies and his littleneſſes, as well as his vices and his greatness, which adorn, whilst they fully the pages of the historian.

Having detained you, Sir, and your future readers so long by these reflections, which I thought proper to fence myself with against the scoffers of antiquity; I proceed to the illustration of my commentary on the last campaign of Agricola in Scotland, by topographical proof received long after I had commented, without prejudice or hypothesis, on the text of Tacitus.

By the map of Richard of Cirencester, which accompanies this letter, you will see that the route and the stations of the Roman army are marked in exact coincidence with the historian; and they agree with the remains of Roman encampments and causeways, which are yet to be traced with sufficient accuracy, to leave no doubt of their constructors.

Camden mentions Grantsbain as the place of the memorable overthrow of the Caledonian chief; and in my former letter I informed you that *Grant-Ben* is no other, in the Irish or Scoto-Gaëlic language, than the ugly hills, mountains so named from their uncouth and scaly appearance, and their being strongly contrasted to the most fertile and extensive valleys in Scotland.

Sir Robert Sibbald adopts the fort of Ardoch, in Strathallan, as the seat of Agricola’s camp before his engagement with Galgacus:

C this

this remain, which is in Perthshire, is indeed very entire, and worth visiting on that account; but, being only 100 paces by 80 within the encampment, is a miniature indeed, and the station only of a Roman detachment or garrison, to overawe the adjacent country.

An encampment, the remains of which are to be seen about half a mile from the church of Comeria, in Strathern, and in the same county of Perth, is chosen by Alexander Gordon, the author of the *Itinerarium Septentrionale*, as the spot in question; and he plumes himself on its being fitted to contain just 8000 foot and 3000 horse, the number of auxiliaries mentioned by the historian as accompanying the Roman army, as if these only were to be defended from the insults of a numerous host of desperate enemies, who were about to fight for their last stake, in a country with which they were so much better acquainted, and were supported by the whole warlike strength of their nation.

The same author, in opposition to the conjecture of the last battle having been fought at the pass of Grampian in the Mearns, asserts, that in the Mearns “no vestiges of Roman encampments are to be found, nor any works of that nature, except a round fort called the Caterthunne, not far from Fettercairn,” which, he says, is evidently Danish or Pictish, and, to support his favourite hypothesis in favour of Comerie, he adduces the name of Galcachan Ross Moor, which in fact signifies no more than the moor of a peninsula where the Gauls had fought; a name which implies nothing peculiar in a country inhabited by Gauls only.

But Gordon wrote hastily; and the country had not been explored in his days with sufficient attention. From the neighbourhood of Perth, all through Strathmore, and nearly in agree-

agreement with the antient Itineraries, Roman works are to be found¹; and in the Muir of Lour, not far from Forfar, in the county of the same name, are to be seen the remains of two Roman camps², called Black or Battle Dykes, and Hare Dykes, with a Caufeway running about fix miles betwixt them, which will appear hereafter to have been the winter quarters of part of the Roman army, after the conclusion of the sixth campaign, and of the Caledonian war. Of these encampments and other Roman works, elucidating the whole history of Agricola's command in Scotland, it may be proper hereafter to give a more exact account to the public, and to accompany it with a topographical map of the country and plans of the different encampments: in the mean time, I shall content myself with giving a sketch of the country, where it seems evident, from the whole mass of circumstances, that the war was concluded by the signal victory obtained by Agricola over Galgacus and the Caledonian army.

I suppose the Roman army to have proceeded through Strathmore and the hollow of the Mearns, to the coast by the dotted line A, [plate II.], which crosses the rivulet of Carron Q, which runs past Fetterresfoe R, till it arrived at a place called Arduthy, half a mile from Stonehive O, where there are clearly the remains of a camp at B. This camp was in the remembrance of a respectable gentleman, from whom I received the account much more distinct than at present, great part of it having been de-

¹ See plate I. where Richard of Cirencester lays down a station A in the neighbourhood of Stonehive, where it will be shewn the pass of Grampian, described by Tacitus, was.

² These camps were first sought for and discovered in the year 1754, by Lieutenant-general Robert Melvill, then a Captain in the 25th regiment of foot; a fact which did not come to my knowledge till some months after I had written these remarks; and I am well pleased to inform the learned reader, that the principles of investigation, used by that military gentleman, were similar to those I have made use of to ascertain the stations and the march of the Roman army.

stroyed by the agriculture of the country; it is situated on an eminence with a precipice to the north, and is about a quarter of a mile from the sea, which I mark P, and about half a mile from Stonehive marked O; from this camp at B, I suppose the Romans proceeded north-eastward, crossing the rivulet of Cowie X, which runs past Urie at S, still keeping the dotted line A along a smooth bank and a plain heath to C, which is a point where three morasses nearly meet at V, and the only road they could take in their progress northward by the coast, and not far from the present post road at N. At this pass I suppose they were opposed by the Caledonians upon the Kempstonehill at I, which is dotted with almost innumerable small heaps of stones, and likewise three very large ones at L, called Cairns. There are likewise, at the two crosses at K, two stones standing on end at the distance of about one hundred yards from each other, and about ten feet high, without any inscription. In each of these large Cairns several stone-coffins have been found, about four feet long; and in the inside small urns containing a little earth. Several of the small heaps have been dug to the foundation, but neither bones nor urns were found. Their numbers and appearance, with that of the large Cairns and the urns found in them, leave not the least room to doubt but a battle has been fought in that place; and from the disposition of the tumuli, it appears clear that those who made the attack must have come from the south, and prevailed. If we suppose the Roman army to have marched from the camp at B, by the dotted line A, and that they were obliged to pass between the morasses at C, it is impossible the Caledonians could have occupied a more favourable spot to oppose them than the south side of the Kempstonehill; by extending their flanks to the two morasses, they were absolutely secure every where excepting in front. I suppose the Roman general to have prevailed, and the Caledonians driven to the

the woods and bogs in the neighbourhood which continue for miles at V, and at that time is supposed to have been all wood. The Roman general might for various reasons have been unable to pursue the advantage he had gained, and chose to encamp upon the Garnca-hill, or Readykes at D, which is about two miles from the former place, and an eminence which commands a prospect of the whole neighbourhood, to which there is a clear passage by the dotted line A. This camp, as I observed before, contains, as I suppose, about one hundred acres, has several gates, three of which are here described at F, and covered by three redoubts at G, with an advanced port at H. There is a Druid Temple to the north-west at E. The line of circumvallation is rather slight, excepting to the east, where the ditch is very deep, and the rampart formed by the earth high, and fronts the bogs, which have been woods, at V, where the enemy seem to have retired.

Several Roman weapons have been found in this camp, particularly a *hasta* and helmet, of which the former is in the lawyers' library at Edinburgh; and lately a fragment of another *hasta* and a *malleolus* have been dug up; and, as search is now making, there is little doubt that many more will be discovered.

Now, stating all these circumstances, particularly that this camp is situated upon the north-east end of the Grampian Hills, where these mountains could easily be crossed, and likewise near the sea, where a land army could have communication with the fleet, and where the ground was so smooth, that chariots could have acted; I do suppose the Kempstone-hill to have been the place where Galgacus was defeated by Agricola. It could not be at the camp at Readykes, because there is not the least vestige of an engagement at that place, nor upon the hill of Glethno at W, nor the hill of Magray at T, which have no
tumuli.

tumuli. Add to these circumstances, that Tacitus informs, that, after the engagement, Agricola led his army into *Horeflia*, which I think every Antiquary supposes to be the county of Angus. It is likely that the Romans some time or other extended their conquests as far north as the Murray Firth; but it is probable they abandoned these advantages in the winter, for reasons that appear perfectly clear. It does not seem to have been of importance sufficient for them to have defended at a great expence a narrow tract of coast against the natives; and, to confirm this idea, I have not heard of any Roman military way that has been discovered as far north as this. These military ways seem to have been absolutely necessary, where there were winter stations, because they formed a communication from one to another. Those I have seen are so raised above the common surface of the ground, that they generally keep clearer of snow than any other place; and a small number of well-armed and well-disciplined men could upon those ways have easily defended themselves against very superior numbers of Barbarians.

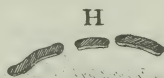
The method I adopted for the proof of my commentary on the 6th campaign of Agricola, I beg leave to recommend to those who amuse themselves as I do, with explaining the text of ancient military writers, or their annalists. I read the history with attention, I draw the inferences of a soldier and an historian, and I leave my conjectures to be verified or disapproved by an examination of the country: this is the *experimentum crucis*; and whoever adopts any other method, or assumes to himself an hypothesis like Gordon, Sibbald, or any other fond father of a system, will be sure to be the dupe of his own errors.

I own, Mr. Nichols, that when I shall again survey the hill where the brave Galgacus fought, I shall be apt to throw off my shoes, and say the ground on which I stand is consecrated to
the



- A. The North Gate 74th wide.
- B. The East Gate 52th wide.
- C. The South Gate 60th wide.
- D. The South West Gate 45th wide.
- E. The North West Gate 30th wide.
- F. A Cottage lately built within the Camp.
- G. The Farm.
- H. Seems to have been an advanced post.

CAMP
of
RHE DYKES
1785.



Scale of Feet.
200 400 600 800 1000 1200

the fervour of our patriotifm; I fhall hear the harangues of Galgacus and of Agricola founding in my ears with the eloquence of Tacitus; and, animated with the imaginary clafhing of hostile fhields, I fhall exclaim, *My anceftors were defeated, but not fubdued*; and I glory in the name of

ALBANICUS.

Plan of the Camp at Rae Dykes, on the Eftate of Ury, on the Shore of Kincardine, as furnifhed by Robert Barclay of Ury, Efq; from an actual Survey, to Lieutenant General Melvill, in 1778. [See Plate III.]

The annexed is a draught of what is called, by the country people, the *Rae* (or *Roe*) *Dykes*, but is generally believed to be a Roman camp. It lies on the eftate of Ury, above the town of Stonehaven, about three miles from the fea, and 300 feet above the level thereof. The Grampian mountains at this place come very near the coaft, and the hill on which the camp is fituated (commonly called the Garrifon hill) commands a great extent of hills and country round it. The pofition of the camp is exactly laid down on this draught. The gates, ramparts, &c. are in general very perceptible at this day. The rampart is of earth, about 30 feet broad at the bafe, with a deep ditch without. The area contained within the fortification is about 120 acres. On the S. E. of this camp, in a hollow, is a large bank, diftant 242 yards, and 176 yards long; the bafe of which is about 40 feet, and the ditch much deeper than any part of that of the camp. The gates of the camp are all much about the fame width, except *that* oppofite to this work, which feems a little wider.

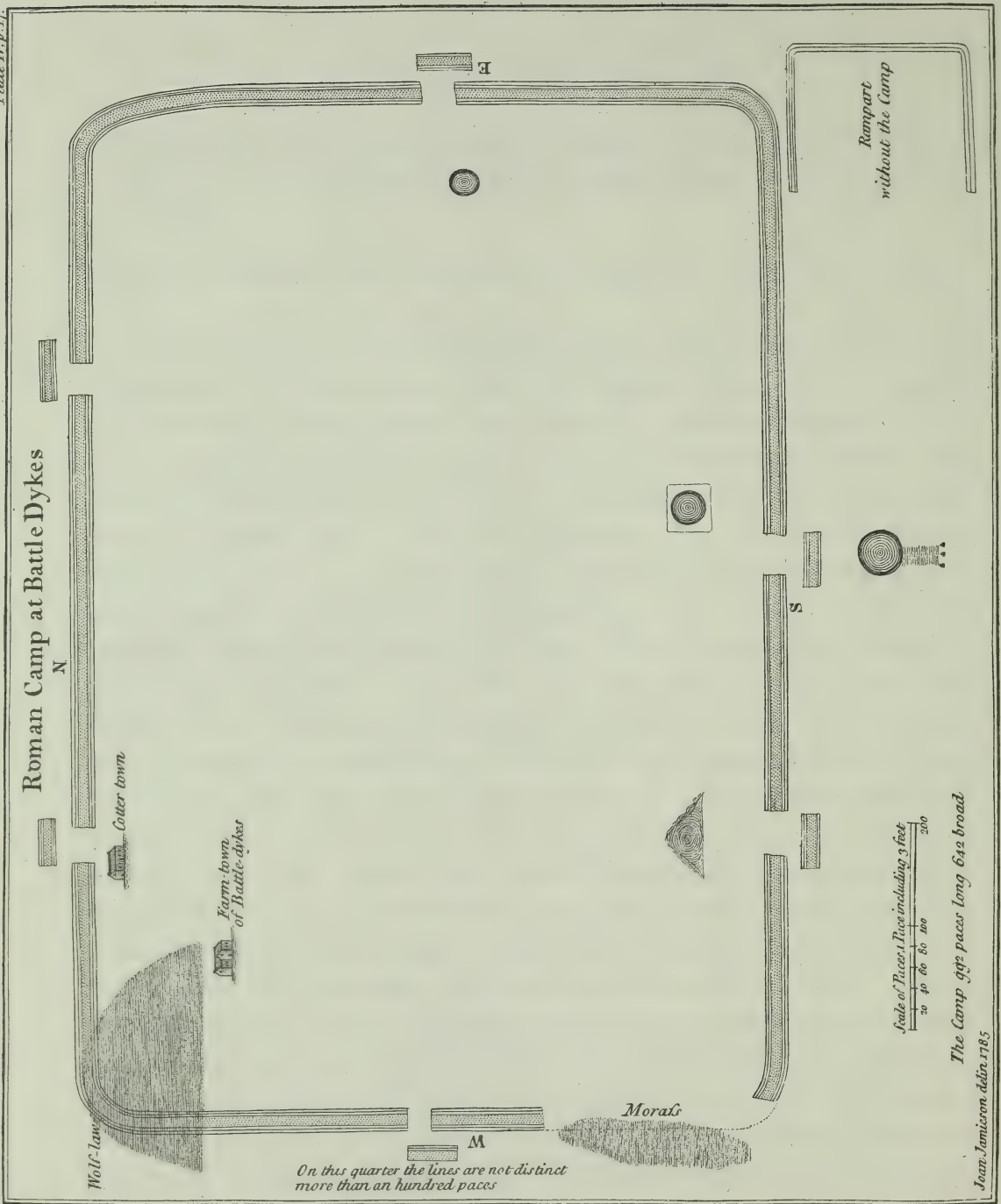
LETTER

L E T T E R III.

An Account of the Roman Camps of Battle dykes and Haerfauds, with the Via Militaris extending between them, in the County of Forfar.

By the Reverend Mr. JAMESON, of Forfar. April 23, 1785.

THE camp of Battle-dykes (vulgarly called *Black-dykes*) lies about three English miles north-east from Forfar, in the parish of Oathlaw, about a mile west from the parish church. It is finely situated on a large plain, flanked on the south-side by the marshy grounds on the rivulet of Lemno. On the west, it is partly guarded by a kind of morafs. Its north-west corner reaches to the top of a hill called Wolf-law, whence there is a very extensive prospect of the country; but in this place the ramparts have been ploughed up. The camp would seem to have been defended on all sides by two ramparts of stone and earth, with a ditch between them, except on part of the west-side, where the morafs lies, which does not appear to have been fortified in any other way than by nature. Proceeding eastward, you observe the second or outermost rampart from the first gate on the south-side, which is very discernible all the way round to the north-east corner, except in one place, where they have been both effaced by the plough. There are two gates on the north and south sides of the camp, one only on the east and west. From the extremity of the southern rampart to the first gate are 292 paces, including part of the morafs; thence to the second gate 240, thence to the south-east corner 460, in all 992 paces. On the east rampart, from the south angle to the gate, are 312 paces, thence to the north angle 330, in all 642. All the ground within the camp
has



Scale of Paces: 1 Pace including 3 feet
20 40 60 80 100 200

The Camp 992 paces long 642 broad

Joan. Amiscon. data. 1785

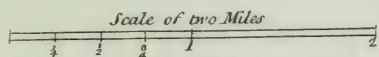
has been ploughed ; there is one large *tumulus* on the west-side, rising up in the plain, in a triangular form ; two of the sides are equal to each other, extending at the base 24 paces each ; the other is one-third larger, being 36 ; in all, its circumference at the base is 84. This is evidently artificial, being formed entirely of gravel brought from a distance, as the soil is all around clayey. This *tumulus* is within the camp, facing the west gate on the south-side, perhaps an hundred paces from the gate. In a straight line with the second gate, forward on the south-side, and 90 paces without the gate, is another *tumulus* much larger. It is mostly composed of such stones as are generally found in cairns. It measures 110 paces in circumference, at the base. From this mound a causeway juts out southward towards the rivulet. It has been carried on for 60 paces, is 10 paces in breadth, composed of earth and stones ; but the design has not been carried on. It terminates in a place where probably there has been a Druidical Temple ; as we there find three large stones, fallen over, in the order and of the size of those that are generally found in these remains of heathen antiquity. This *tumulus* is vulgarly called “ The Centry-hillock.” A little way within the gate, rather towards the east, you find the base of another *tumulus*, consisting of such materials as the one last-mentioned. The form of it has been somewhat square. Here I perceived one stone that seemed to have been hewn, although I could not be absolutely certain. It receives the name of “ The King’s House.” Had not this been so far from the center of the camp, one might have thought that it was the site of the *Prætorium*. There is still another *tumulus* within the camp, smaller than any of the rest, a little within the gate on the east side, nearly on a line with it. In some places the ditch is still very deep, from the bottom of the ditch to the top of the

most entire rampart, being between 10 and 12 feet perpendicular. In one place where the ditch was nearly filled up, I measured both the ramparts and the ditch, and found that they extended between 14 and 15 paces.

Parallel to the two ramparts, a few paces from the eastern extremity of the south side, you perceive another rampart, which, after running a little way further eastward than the lines of the camp, runs southward about 200 paces; then turns westward, where you lose it, after tracing it for a considerable way very distinctly. It seems to have extended 120 paces to the west, by the tract that is discernible among the ridges. Whether this might be the *Campus Equitum* I cannot pretend to say; only, although the rampart is constructed with stones and earth, like the rest, it does not seem to have been ever so strong, nor are there any remains of a ditch perceptible.

From the south-east extremity of this rampart begins what I take to be a military way that has extended between the camps of Battle-dykes and Muir of Lours. Here it is composed of the same materials that are to be found every where else, rough, unpolished stones (commonly called bullet-stones) and earth. After running a little way eastward, it forms a sharp angle, and turns suddenly down to the rivulet of Lemno. On the border of this *Via Militaris*, on a height immediately above the rivulet, are the remains of what would seem anciently to have been a fortification or military station. There was indeed a cottage on this site, inhabited within the memory of man; but the thickness of the walls, and the different courses of them, would seem to indicate, that it had in former times been more than a simple cottage, especially as it received the name of Stony-paths, which would almost assure us, that it was found a ruined heap before the cottage was built. From the very brink of the rivulet, on
the

View of the Roman MILITARY WAY. *Between the Camps of BATTLE DYKES, & HAERFAUDS,* *in the* Muir of Lour.



the south side, you perceive a broad causeway of irregular stones, mounting a steep hill, on which it holds a straight line for more than a quarter of a mile. This road has indeed been covered, from time to time, with heaps of stones, thrown together from the adjacent fields. After running so far in a straight line, it takes a winding course towards the east, passing by some fortifications on the hill, which it is necessary a little to describe.

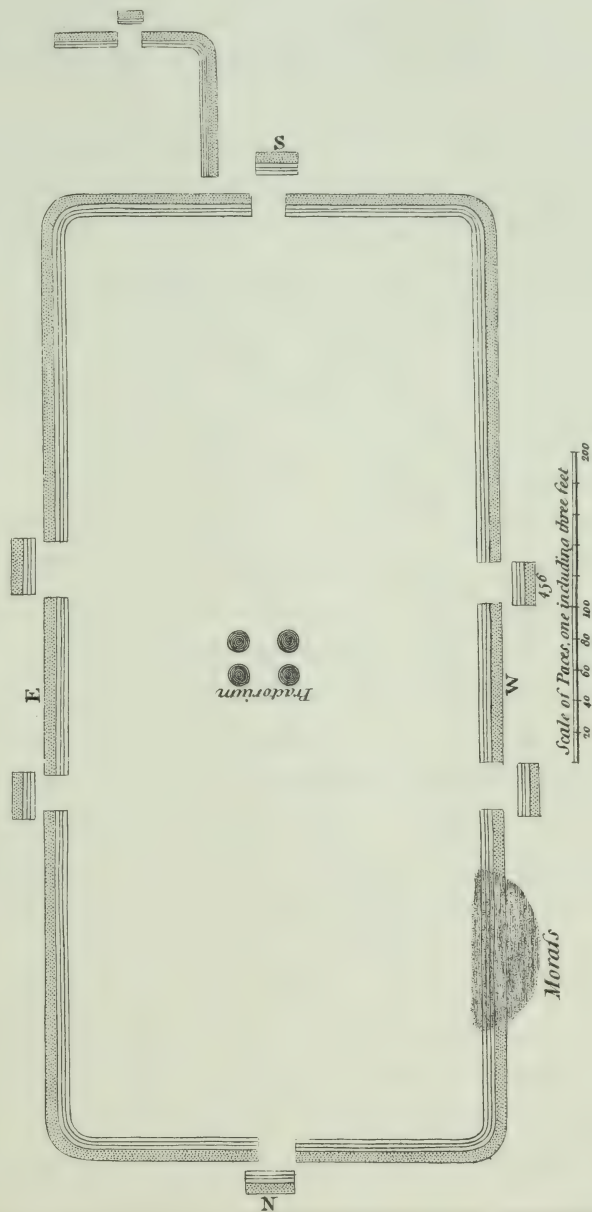
On the north side of this hill, which is called *the bill of the Carfe*, you at first observe a large rampart with a ditch. On going further to the west, you distinctly perceive two ramparts, and in some places one would almost suppose there were three. The ditch is of unequal breadth, in some places 8, in others 10, and in other places 12 paces broad. The rampart at the base is about 4 yards in diameter, at an average. After pursuing these ramparts for about half a mile, you lose them altogether at a place where are the remains of some old buildings. These ramparts evidently appear to have been raised at the same time with the camp formerly described; but it doth not seem that *they* had been a part of a camp; whether they have been meant as lines guarding a Roman station on this hill, to prevent it from falling into the hands of the enemy, and thus shutting up all intercourse between the two camps before-mentioned, as it must effectually have done, I cannot presume to say, but must leave them to the examination of more learned antiquaries. Near these lines, about a year ago, was found the head of a Roman spear. This I have never seen, as it was lost through negligence; but, from the description given of the metal and shape, it must have been Roman.

The *Via Militaris* takes its course round these lines on the east, till both are lost in a field lately inclosed. They were ploughed up within these few years, and the stones of the causeway

taken for building a wall round the field. It came down in a straight line, past the farm of Broom-knows, on the estate of Carfe-bank. Thence it takes its course through a planting of firs. On leaving this, it crosses the highway between Brechin and Forfar. Here it also crosses a ditch and rampart cast by the Picts under Feredith, for guarding their camp against an attack from the Scots under Alpin, before the battle of Restenet. About half a mile eastward from the Roman-way in this place, was found a small Roman spear, on the top of the hill of Pittscanley, now in the possession of the right honourable the earl of Buchan. The *Via*, after crossing the Brechin road, is very discernible for near an English mile in a Muir. In short, it is to be found in a straight line to the other camp, in general where the ground has not been ploughed.

The camp in the Muir of Lour is about eight English miles distant from that of Battle-dykes. It is vulgarly called Haer-fauds, which I have been told, either in the Gaelic, or rather in the Teutonic, signifies “the ditches, trenches, or folds of the “strangers.” It is about a mile north from the Hynd Castle. On the north and south sides it has only one gate. From the corner westward to the gate it measures 162 paces, the same thence to the other curve, in all 324. To the first gate on the south side (moving from north to south) 290 paces; thence to the second 166; thence to the extremity 270; in all 726. There is a kind of swamp, or morass, between the north-west angle and the first gate on the west side, where it doth not seem that the lines were ever completed. On the south-side there is something that resembles the camp of the horse; it projects in the same manner, and exactly in the same direction, with that at Battle-dykes. It measures 105 paces on the west, the same number on the south; but the east side has been ploughed up; however, it doth not seem

Roman Camp in the Muir of Lour



seem to have extended any further, or at least much further, because the end of the south rampart is nearly on a line with the east rampart of the great camp, and the gate is exactly in the middle, being about 53 paces from each of the extremities. Both the rampart and ditch are smaller in this than those of the camp adjoining.

The camp of Haertauds hath only one rampart and ditch, and it does not appear ever to have had more, as the ground has never been ploughed, except part of that on the east-side; but the rampart is broader and higher than any of those at Battle-dykes. From the bottom of the ditch, in its present state, to the top of the rampart, it may still be about 15 feet perpendicular. I was told by a person, who for thirty years past has been inspector of that Muir, that he distinctly recollects four large mounds that were exactly in the middle of the camp, in a straight line between the north and south gates; that the mounds were at a little distance from each other; and that, on the removal of them, because of the turfs and moss they contained, there were no stones found in them, but that they were entirely formed of earth, in an artificial manner. It would seem that this had been the *Prætorium*.

There are no vestiges of the *Via Militaris* immediately near the camp. The first place where I have observed it is nearly three miles to the north. It is lost wherever the ground has been broken up, although very distinct elsewhere. Though it is very evident that this was originally a Roman camp, tradition says, that it was possessed by the Picts in some of their wars with the Scots. The person who surveyed it with me declared, that, when the mounds before-mentioned were removed, he had seen a considerable number of pieces of old shoes among the earth, and that they were all square-toed, which would seem to confirm

confirm this tradition, as we cannot suppose them to have belonged to the Romans. It is probable they were left on the mounds, and in a course of ages over-grown with moss. He also said, that the remains of the Scottish camp were on a hill about a mile distant, which I have not yet had an opportunity of surveying. If this tradition is well founded, it would seem to refer to the reign of Alpin, as he was killed at no great distance from this place, according to our Scottish historians.

The connexion established between the two camps of Battle-dykes and Haerfauds, by means of the military way stretching between them, discovers the caution and judgement with which the Romans conducted themselves in an enemy's country, and especially in a country possessed by such intrepid and impetuous enemies as the Caledonians; who, unless they had used every precaution, might have poured down their hills, like a torrent, and carried destruction before them, without any previous warning. These two camps thus connected, if we shall suppose them possessed at the same time, secured to them the whole breadth of the *Strath*, or valley of Angus. The one at Battle-dykes, situated about six miles English from the foot of the nearest mountains, commanded such an extensive view, that there could be no descent from the mountains by day-light, for ten or a dozen miles in front, but it must have been perceived by every man in the camp. The other, at Haerfauds, about 7 or 8 miles from the sea, guarded the other side of the valley. It is one plain between the two camps, with a gentle and gradual ascent to the southern one, except where the carse-hill rises up in the valley, and intercepts the view. But we may suppose the fortifications on this hill, whatever form they bore in their complete state, as designed to prevent any inconvenience arising from the nature of this high ground, as an intermediate post between the
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two camps, completing and preserving the line of communication. A military way must have been peculiarly necessary and exceedingly useful in a country, which, then in its uncultivated state, must have been almost one continued morass; as is evident from the fenny nature of the soil, and the multitude of lakes and marshes still remaining. Had the Romans sustained any loss at the foot of the Grampians, they would immediately have betaken themselves across this *Via Militaris* to the southern camp; which, among its other advantages, preserved an open intercourse with their fleet, which at this period may be supposed to have been moored in the river Tay, at such a small distance from it. From the hill on which Hynd-Castle stands, a mile south from the camp, they would have a full view of the sea; of their fleet, if lying near the mouth of the river; and of any other ships approaching the coast, long before they could reach it. As we know of no camp between Tay and those of Battle-dykes and Haerfauds, except one on the north side of the river, at the confluence of Tay and Almond; and as it seems almost certain that the decisive battle between Galgacus and Agricola was *not* fought at Galgachaw-Ross-moor near Comrie, where Gordon, in his *Itinerarium*, places it, but a great way farther east, it is most probable that Agricola, instead of marching directly eastward by the foot of the mountains, first visited his fleet at the mouth of the Frith of Tay, and thence marched towards the Muir of Lour; thence to Battle-dykes, onward till he came near Stonehaven, where it would seem the great battle, described by Tacitus, was fought. Or, perhaps, we may rather suppose that Agricola, in one of his campaigns, penetrated no further than the Tay; and that he began another by entering that part of the country now called Angus; proceeding gradually till he arrived at the eastern extremity of the Grampian mountains.

Tacitus,

Tacitus, in his Life of Agricola, informs us, “ that in the
 “ sixth year of his administration, when he was exploring the
 “ large communities beyond *Badotria*, or the Frith of Forth, by
 “ means of his fleet, the same camp often contained foot, horse,
 “ and mariners; that he was attacked in his camp, had the
 “ guards slain, and the trenches entered; and that in the very
 “ gates of the camp a bloody encounter ensued, till the enemy
 “ was quite routed; and that the woods and marshes served for
 “ shelter to the fugitives.”

There are several circumstances in this description, which evidently denote that Agricola was at this time on the north, or rather the east side of Tay, and which tend to shew that the final victory gained by him over Galgacus was towards the eastern extremity of the Grampian mountains. 1. By the *ampla civitate trans Badotriam sita* cannot be understood the country of Fife for two reasons: First, because *Badotria* signifying the Frith; if the country of Fife had been meant, it would have been more proper to have named them “ the cities or communities situated upon *Badotria*.” The second is, that he informs us, “ that in his third year he discovered new people, by
 “ continuing his devastations through the several nations, quite
 “ to the mouth of the Tay,—*novas gentes aperuit, vastatis usque*
 “ *ad Taum (æstuario nomen est) nationibus.*” Now, it could not be said with any propriety that Agricola in his sixth year made new discoveries of those that he had coasted and conquered in his third. If then, it is not Fife that is meant, we must understand Tacitus of those countries now called Angus and Mearns, or the counties of Forfar and Kincardine. 2. It was “ by
 “ means of his fleet,” which shews, that in his expedition he always kept an open communication with his fleet. 3. “ The
 “ same camp often contained, &c. *iisdem castris pedes equeſque et*
nauticus

“ *nauticus miles*, &c.” We do not find a single camp westward of that in the Muir of Lour to which this description can apply with equal propriety. 4. His camp was forced—“ *nocte aggregati inter somnum ac trepidationem*, &c.” As we have already seen that we must now consider him as on the north of Tay, this part of the history will apply to all appearance very strictly to the camp at Battle-dykes; for, not to insist upon the name given it by tradition, which might either be imaginary, or might arise from some event of a much later date, we have there found two *cairns*, one of them very large, the one within the camp, the other only 90 paces without the gate, in every circumstance resembling those wherein the ancients used to inter their dead slain in battle. 5. Our historian tells us, that “the woods and marshes served for shelter to the fugitives.” That Angus is perhaps, even in its cultivated state, the most marshy part of Scotland, is known to all who have passed through it; and that the greatest part of Britain was at that time covered with wood, is still better known. Even within two or three centuries, there was a prodigious track of wood for many miles west from the camp of Battle-dykes; the site of which still retains the name of the Forest-muir.

From the manner in which Tacitus writes, he gives us reason to think that Agricola “fixed his winter-quarters in this part of the country,—and that in the beginning of the summer he sent forward the navy, which, by committing devastations in several places, would not fail to spread terror;—putting himself at the head of his army lightly equipped; and thus that he arrived at the foot of the Grampian hills.” Had the final battle been fought near Comrie, where these hills are at such a distance from the sea, all the parading of a fleet, and all the desolation accomplished by it, would have had little or no

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effect

effect upon the Caledonians situated upwards of 40 miles from it. We must therefore seek for a place where the encampment of the Caledonians upon the Grampian hills was at no great distance from the sea; and where shall we find this, but where these mountains may be said to bathe themselves in its waves, at their eastern extremity?

We shall only add one circumstance more, in confirmation of the foregoing hypothesis, which is, the discovery that has lately been made of Roman granaries under ground, upon the estate of colonel Duncan of Lundie, a few miles north-east from Dundee; which makes it highly probable that Agricola fixed his winter-quarters near this place.

*** It ought to be observed, that the earl of Buchan, in calling the attention of different gentlemen to the antiquities above-described, studiously avoided prejudicing them by his own opinions concerning them, which sufficiently apologises for the repetition of the same sentiments and the same quotations from Tacitus's *Life of Agricola* in support of them. This seems to be the honest and satisfactory mode of explicating the antiquities of any country, and it is to be hoped it will be followed in all enquiries of a similar nature.



B I B L I O T H E C A
T O P O G R A P H I C A
B R I T A N N I C A,
N° XXXVII.

CONTAINING

MR. GIFFORD'S HISTORICAL DESCRIPTION OF
ZETLAND.

[Price Six Shillings.]

AMONG the various Labours of Literary Men, there have always been certain Fragments whose Size could not secure them a general Exemption from the Wreck of Time, which their intrinsic Merit entitled them to survive; but, having been gathered up by the Curious, or thrown into Miscellaneous Collections by Booksellers, they have been recalled into Existence, and by uniting together have defended themselves from Oblivion. Original Pieces have been called in to their Aid, and formed a Phalanx that might withstand every Attack from the Critic to the Cheesemonger, and contributed to the Ornament as well as Value of Libraries.

With a similar view it is here intended to present the Publick with some valuable Articles of BRITISH TOPOGRAPHY, from printed Books and MSS. One Part of this Collection will consist of Re-publications of scarce and various Tracts; another of such MS. Papers as the Editors are already possessed of, or may receive from their Friends.

It is therefore proposed to publish a Number occasionally, not confined to the same Price or Quantity of Sheets, nor always adorned with Cuts; but paged in such a Manner, that the general Articles, or those belonging to the respective Counties, may form a separate Succession, if there should be enough published, to bind in suitable Classes; and each Tract will be completed in a single Number.

Into this Collection all Communications consistent with the Plan will be received with Thanks. And as no Correspondent will be denied the Privilege of controverting the Opinions of another, so none will be denied Admittance without a fair and impartial Reason.

* * * This *Number* contains only ONE PLATE, the Map of the ZETLAND ISLANDS, which is to face the Title.

A A

H I S T O R I C A L
D E S C R I P T I O N
O F T H E
Z E T L A N D I S L A N D S.

By THOMAS GIFFORD, Esq;

L O N D O N,
PRINTED BY AND FOR J. NICHOLS,
PRINTER TO THE SOCIETY OF ANTIQUARIES.

MDCCLXXXVI.

P R E F A C E.

THE description of ZETLAND here offered to the public was written by Thomas Gifford of Busta, esquire, 1733, in 173 pages 4to, to which was prefixed a drawing of the main land with the islands thereto belonging. The original MS. is in the hands of the author's family. A copy of it was presented to the Earl of Morton when president of the Royal Society, written and signed by Mr. Gifford, and still remains in the noble family library. Copies were given by the author to other persons; and a transcript from one of them falling into the hands of Mr. George Paton of Edinburgh¹, was, with the spirit of liberal communication which so eminently marks his character, imparted to the editor of the *Bibliotheca Britannica Topographica*.

The first description we have in print of this island, or rather collection of thirty-three inhabited islands, seems to have been included in "England's Improvement revived, digested into six books, by captain John Smith, 1670²," 4to. The first five books of this work treat of the improvements that might be made in planting and raising timber; and the sixth was printed first by itself, 1662. The author being apprentice to Mr. Matthew

¹ British Topography, vol. II. p. 730.

² This seems to be the same mentioned in the list prefixed to Gibson's Camden.

Cradock, of London, merchant, one of the society for the fishing trade of Great Britain, was sent to sea by the Earl of Pembroke, and his associates, for the discovery of the island of *Shetland*, the manner and way of trading, the profits and customs thereof, the settling a staple building of storehouses, viewing the ground on shore for landing and drying of nets, making and drying of fish, and building of blockhouses for the security of trade. He sailed from Gravesend April 27, 1633, was forced by foul weather into Harwich, and detained there till the 30th. The wind not favouring, he anchored in Yarmouth Road, and there going on shore, learnt that the Hollanders' buffes did drive at sea for herrings on that coast, and that from the Holms before Yarmouth to Bookness [Buchanness] in Scotland, N. N. E. is 96 leagues, and from Bookness to the south end of Shetland, N. and by E. about 53 leagues. May 5, he sailed from Yarmouth, and by stress of wind was forced into Scarbrough, and there going on shore, was informed of the Hollanders' buffes fishing on that coast, and that from Scarbrough northward toward Catness, in 45 fathom, or thereabouts, in that fair way are usually the first summer herrings caught. From Scarbrough he sailed and came to an anchor before Leith in Scotland, May 13, where going on shore, and from thence to Edinburgh, he delivered his letters to Mr. William Dicks, who was at that time governor of the island of Shetland, and did receive the revenue of those islands. Having received instructions and letters from Mr. Dicks to Mr. James Scot, who lived at the time in the north parts of the island of Shetland, and was agent or deputy to the said William Dicks, he sailed from Leith, and came to anchor at Caisten in the island of Orkney, May 22. These islands he briefly describes, adding, that those of Faro lye from Shetland westerly, about 58 leagues.

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The south part of Shetland lyeth about thirty leagues northward from the said island called *Maland*. . He sailed from Caften and came to an anchor by Sundbroug-head, the south part of Shetland, June 3, and going ashore spake with the good man of *Quandale*, one of the chief of those parts, who with other of the inhabitants informed him of their manner of trading with the Hamburgers and others, and of the Hollanders fishing for herrings on that coast, and of their dogger boats that fish only for ling and cod. He next anchored in *Bracey* [Braffa] *Sound*, otherwise called *Broad Sound*, a very gallant harbour, where many ships may lie land-lockt for all winds. After informing himself of the trade and fisheries carried on there, he next visited *Evey Sound*, the northernmost sound in Shetland, June 12, and there going on shore continued about 11 or 12 months, and in that time travelled the greatest part of the island by sea and land.

“ The land of Shetland lyeth N. and by E. and S. or S. and N. about 60 miles. But there are many islands belonging to Shetland. That which is most considerable are the sounds and harbours. On the west side of the southward point of Shetland is a good harbour and sound, called *St. Magnus*, and on the east side near *Sunbrough-head* is a fair sand-bay, where there is good anchoring in 10 or 12 fathom. To the northward of this last sound is another sound called *Hambrough haven*, which is a lade-place for the Hamburgers and Scotch. About 9 or 10 leagues from the southward part of Shetland there is a channel that runneth through the land; the south part of the land divided by the channel is called *Swanberg*, the other part so divided on the north part *Laxford*. Within the channel afore said are several sounds or harbours, but the best and chiefest sound in Shetland is *Brace Sound* or *Broad Sound*, as before-mentioned. Out of this sound
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the aforesaid channel doth run northward. On the north part of Swanbergh lieth the high hill of *Hangrix*, from which, about 9 leagues northward, lie some out rocks, called *the Stars*. To the northward of these is a very good harbour, called *Bloom Sound*; north of this is another good haven, called *Hue Sound*, being the northern or north-east sound or haven belonging to the island called *Ounst*. There are other havens or sounds which lye through the land between and about that part of Shetland called *Laxford*, and the island called *Jello*. There are also other islands and sounds, which for brevity sake I forbear to mention.

“ The merchants which trade with the inhabitants of Shetland are *Hamburghers*, *Bremers*, *Luberghers*, *Scots*, and *English*. The chief merchants of the island are *Scots*, the meaner and inferior sorts are a mixt people of *Danes* and *Scots*. The islands of Shetland, as I have been informed, were given to king *James* of blessed memory, by the king of *Denmark*, with queen *Anne*, in part of her dowry. The commodity of Shetland, which the merchants do for the most part trade with them is *ling* and *cod*, which they take with hooks and lines in small boats called *yawls*, about the beginning of *Gravesend* ocean. The *ling* they sell for three pence a pound, being a *ling* of the larger size, and called a *gild ling*; if smaller, we have two for one, or three for two, and so proportionable. The *cod* is sold for two pence the *gild cod*, and is measured as the *ling*. I bought of fishermen merchants of the island of *Ounst*, 11655 *gild ling*, and 834 *gild cod*, at three pence the *gild ling*, and two pence the *gild cod*, which *ling* and *cod* were taken by the said fishermen at several times in the small boats, and brought to my booth or place of abode every morning as they were caught. The said *ling* and *cod* being very good and merchantable, were salted on board the ship that landed

landed me, and within seven weeks after my landing, I sent her for London with the said fish to the earl of Pembroke. There are also other small fish, which the inhabitants do catch with angles, sitting in the rocks and in their small boats with hooks and lines in the soundings and between the islands; and these small fish are very considerable, for though they cannot spend them by reason of the multitude which they take, and have not industry to make use of them for transportation; yet the livers they preserve, and with the livers of the ling and cod make train oil; but if it were improved as taking them with nets, the train oil would amount to a considerable sum; and if this measure of trade were carried through the whole island, it would be a great encouragement to all merchants trading into those parts. Several other merchants in the island where I inhabited bought ling and cod of the fishermen, so that the quantity which I sent for England was not above the fifth part taken in that island, which with the whole quantity of fish bought by other merchants throughout the whole island of Shetland being added to them would amount to a very considerable sum, or quantity to the lading of many vessels, which might be much more improved and increase trade, and thereby furnish the inhabitants with money and commodities.

In the island of Shetland were beeves and sheep, sold at a very reasonable rate. I bought for my own use in victualling the ship sent to London three oxen for three pounds; and at another time, four for five pounds, which were fat, and about the bigness of the smaller sort of cattle which we have in England. There were also fat sheep sold for two shillings, and two shillings and six-pence per sheep. There were also other creatures for food, as conies and fowl. The fuel or firing is peat and turf. There may be salt pans set up, and good salt made to serve all the
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fishing

fishing fleet. There are very good shores for landing and drying of nets, and making and drying of fish. There is no night in the north of Shetland part of two months in the year, as June and July.

In an island north of Ouniff, being not inhabited, but stocked with wild cows and conies, I killed with my birding pieces ten couple of conies in one night, from sun-set to sun-rise, and it was as light as a cloudy winter. I do not remember any frost or snow in Shetland; if any, it was not of long continuance. The coldest weather is by reason of great winds in the winter quarter, the wind blowing so violent, that no ship dare look on the north coast, so that the people of those islands have little communication with other nations in that quarter. I can speak by experience: being blown down flat to the ground by the violence of the wind, I was forced to creep on hands and knees to the next wall, and going by the wall, got into an house, or else must have stood by the wall till the violence of the wind were over. Sometimes it lasted half a day or more. There are several towns in Shetland so called, having about eight or ten houses together, where they plow and sow corn, as oats, which is their chiefest bread; and if my memory do not much deceive me, there was good barley growing in my time; but the land might be much improved if the inhabitants were industrious. They are like the idle Irish, not improving any thing either by sea or land, spending that in winter which they get in summer, though their winter might be very profitable to them, if they were laborious and industrious as the Hollanders.

The goods and commodities that are vendible in Shetland are hooks and lines for taking ling and cod, nets for taking herrings, strong beer, biscuit, wheaten meal, salt, peas, fruits of all sorts, strong water, Monmouth caps, and many other particulars. The
inhabitants

inhabitants of Ounſt uſually have a bark that they trade with to Norway, where they may buy timber for houſes ready framed, deal boards, tar, ſhips, barks and boats of all forts, and other neceſſaries for their uſe. With theſe ſmall fiſhing boats, called yawls, they will row into the main about two or three leagues, where the banks are, on which they lay their hooks and lines for ling and cod. In one of theſe boats, rowing with two men, and ſometimes four, according to the largeneſs of the boat, they uſually bring to ſhore every morning that they go to ſea about fifty or ſixty ling and cod. There are many barrels of herrings taken by the inhabitants with their ſmall boats in the Sound and at ſea, not far from land, which are the gleanings of the Hollanders buſſes, for the buſſes driving at ſea break the ſcull or ſhoal of herrings, and then the herrings flee near the ſhore and through the Sound, where theſe ſmall boats with thoſe nets they have take them, but if they had better tackle and boats they might take 500 barrels for one, which would much enrich the iſland, and by increaſing trade augment his majeſty's revenue."

Thus far Captain Smith.

The reſult of his obſervations was a plan for England to fit out a fleet of buſſes for the fiſhing trade here, and exclude all foreigners from fiſhing and trading in the iſlands of Orkney and Shetland.

The next authentic account of theſe iſlands was given by Mr. Thomas Preſton, in two letters to Mr. Joſeph Ames, dated Jan. 31, 1743-4, printed in the Philoſophical Tranſactions, N^o 473, p. 57. which, as it follows Mr. Gifford very cloſe in point of time, we ſhall give at large in the Appendix.

A deſcription of the iſlands of Orkney and Zetland was advertiſed in the Edinburgh Evening Courant, of Auguſt 24, 1771, as

preparing for the press, to give “an account of their fisheries, “commerce, manufactures, natural curiosities, antiquities, plants, “minerals, state of agriculture, number of inhabitants, public “buildings, &c. from the earliest account of these islands to the “present times.” Such gentlemen as had any thing to communicate concerning them, which is not mentioned by Wallace or Mackenzie, were desired to transmit their materials to A. Donaldson, bookseller in Edinburgh, or to William Coke, bookseller in Leith, who was then at Kirkwall in Orkney; but of this design nothing further has transpired, and it seems rather to be laid aside.

“The description of the isles of Orkney and Zetland with the “mapps of them, done from the accurate observations of the “most learned who lived in those isles,” published by Sir Robert Sibbald, Ed. 1711. fol. seems to be taken from various accounts. Captain Smith is cited in it. John Bruce, of Simbister, surveyed all the coast of Shetland, and “made a large map of all the *Voes*, i. e. bays and founds, and the entries to them, and marked the meaths in them, and shoven where dangers are, and how they are to be avoided; and resolved as soon as he goes home to take a more exact survey of all again, and to miss no bank, rock, nor shallow.” This description is divided into twelve chapters¹, in the last of which these islands are supposed to be the Thule mentioned by Tacitus, on which idea, in which Hector Bactus anticipated him, Sir Robert wrote a fuller dissertation, first printed at the end of Wallace’s description of Orkney, 1693. 1700; and in bishop Gibson’s first and succeeding editions of Camden’s Britannia.

¹ Bishop Nicolson, in his Scottish Historical Library, p. 55, gives a different enumeration of the chapters of this work, which would lead one to suspect he had seen a different work.

John Brand's "new description of Orkney, Zetland, Pightland-firth, and Caithness, Edinburgh, 1703," 8vo. professes to give "a particular view of the several islands thereto belonging, together with an account of what is most rare and remarkable therein." But as he was an itinerant missionary preacher, he has inserted all the legendary stories ¹ so roundly believed by the common people, and converted every uncommon fish into an evil spirit ². He speaks highly of the civility and hospitality of the people, and their attention to religion, where they had an opportunity of hearing sermons, but laments the want of schools, particularly a Latin one. His description of Zetland takes up about 70 pages.

Among Macfarlane's MS. Collections now in the Advocates' Library at Edinburgh is a general geographical description of Zetland, by Mr. Hugh Leigh, minister of Braffie and Buro ³.

Mr. Wallace promised a full description of the western islands, Shetland, and those in Edinburgh Frith, by his father, with maps of the most considerable ⁴.

Mr. Martin, at the end of his description of the western isles of Scotland, 1697, 1703, and 1716, gives a short account of *Schetland* or *Zetland*; but this is only an abridgement of Mr. Wallace's. Martin never was there; and Brand supplies many defects in Wallace; yet both of them are far from being full, accurate, or entertaining, says Mr. Toland in his MS. notes on Martin's book. "I shall say nothing here," continues he, "of those two clusters of islands; but though I am persuaded *Iceland* to have been the true *Tbule* of the ancients, yet that seen by the

¹ Spirit *Browney* appears to be as much the Genius of these islands as of Cornwall, and had his share of every dairy, harvest, or brewery.

² See p. 113—115.

³ Brit. Top. vol. II. p. 729.

⁴ Ib. 730.

oman fleet when it failed round Britain in Vespasian's time was HETLAND. The words of Tacitus are, *Dispecta est et Thule quam hactenus nix et hiems abdebat* *. This passage just follows his mention of the discovery of the Orcades, so that nothing can be plainer, the ships having failed between them."

From Brànd and Wallace was compiled the account of Zetland in the "System of Geography," 1741, 382; and the Tours through Great Britain have drawn from the same source.

The "Voyages to Shetland, the Orkneys, and Western Isles," printed 1753, 8vo. is a meagre compilation to favour the herring fishery just then established: and of the same stamp is the "exact and authentic account of the greatest white-herring fishery in Scotland, carried on yearly in the island of Zetland by the Dutch only, 1750," 8vo.

To complete the Topography of the Northern parts of the kingdom, Mr. Pennant supported the Rev. Mr. George Low, minister of Barfa, Orkney, in a voyage through the Orkney and Zetland Isles. He transmitted to him the MS. account of his voyage, which is executed in a very satisfactory manner. He enters largely into the state of the fisheries and commercial concerns of the islands, and gives a very good account of their antiquities. Mr. Pennant means to complete the voyages of our islands, by publishing, at his own expence, this work of Mr. Low, and should any profits arise, dedicate them to his benefit.

The oldest map of Orkney and Zetland is that by Timothy Pont.

One captain West, who about 1730 or 1734, was wrecked on the coast of Shetland, and lived there some time, made a map or chart of it; but, besides that it was very imperfect and borrowed from Dutch charts, it does not appear to have been engraved.

* Vit. Agr.

Captain

Captain Preston, beforementioned, made a new survey in 1743 and 1744. The places where he was are exactly laid down; but in those copied from former charts the mistakes are retained. This chart has many marginal notes, and is fold by Mount and Page on Tower-hill.

From the scanty and imperfect accounts hitherto given of this cluster of islands dependant on the British crown, which Mr. Camden ¹ before the Union thought no better in point of situation and advantages than Iceland and its inhabitants, a parcel of frozen Ichthyophagi, it is no unfair presumption that a more minute detail, written by a native and resident little more than 50 years ago (so slowly does knowledge and information travel) would not be unacceptable, at a time when the BRITISH FISHERIES are become so much the object of public attention ².

¹ *Schætlandia, quæ nonnullis Hethlandia, est insula aliis exiguis coronata sub imperio Scotorum frigore obrigens et undique procellis exposita, cujus incolis perinde ut Islandiæ piscis exsiccatu et contusus pro farre est.* Britannia, p. 850. Ed. 1607.

² See Mr. James Anderson's "Account of the Present State of the Hebrides and Western coasts of Scotland," just published, in 8vo.

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ZETLAND.

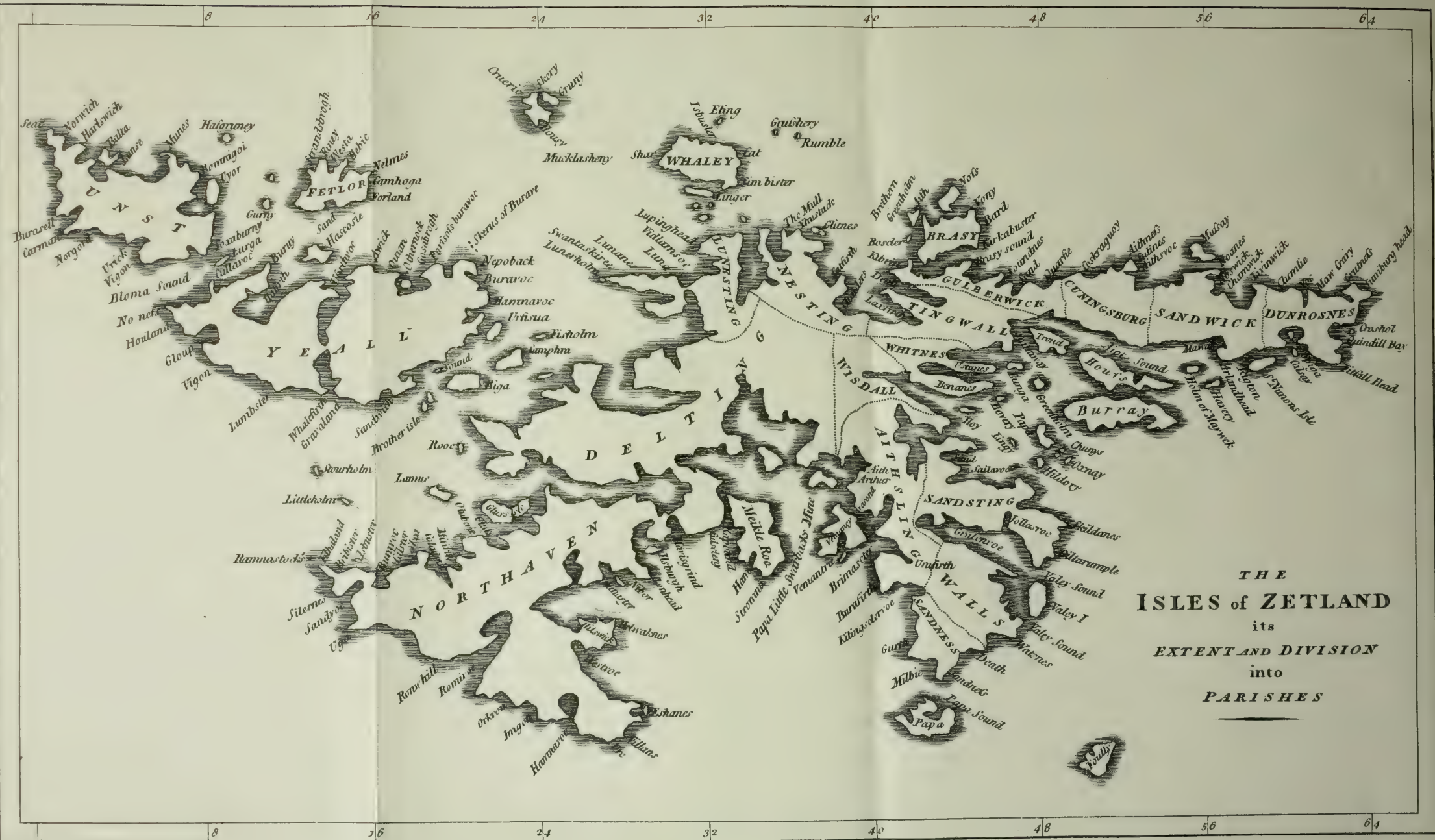
The following information relative to the author of this Work came to hand after the preceding pages were printed.

“ THE Gifford family of Buſta in Shetland, or, Zetland, have been proprietors and poſſeſſed of great property there. The eſtate at preſent, including the fiſheries, yields above 1200l. yearly, which has ariſen to that ſum by fiſhing and wrecks. There is a traditional report, that in the year 1739, or 1740, when the earl of Morton viſited this family, Mr. Gifford told the earl, that there was a Swediſh Eaſt India ſhip wrecked near his houſe, and that his fiſhers, among other articles got from that ſhip, found on the coaſt, a large log of lead, which his ſervants uſed as a ſtool in his kitchen. This his lordſhip viewed, and ſcraping a part of it with a knife, informed him that it was ſilver, and was the moſt valuable piece of furniture in the houſe. It was afterwards taken care of, and ſold for the benefit of the owners, after paying the ſalvage.

The late Mr. Gifford of Buſta was a very reſpectable gentleman, generous to his tenants and ſervants, and a very uſeful member of ſociety. His lady was ſiſter to the late Sir Andrew Mitchell of Weſtſhore. The preſent laird's grandfather had three ſons, who were loſt in a boat croſſing a bay in the month of June, 1746. His father was not then born ; he ſucceeded to the grandfather's eſtate on his deceaſe. It is remarked, that the Morton family got the ſuperiorities of Orkney and Zetland, which belonged to the earls of Orkney after his forfeiture, as a pledge for 30,000l. which his predeceſſors had advanced to the Royal
d Family,

Family, during the reigns of queen Mary, James VI. and Charles I. which was granted to James earl of Morton in the year 1741 or 1742, by king George II. in a perpetual free gift, and in 1767 was sold for 63,000*l.* to Sir Laurence Dundas, whose son now inherits that property. The present laird is Gideon Gifford, of Busta, esquire.





A
D E S C R I P T I O N

O F

Z E T L A N D.

C H A P. I.

Containing a Geographical Description of the Isles of Zetland, in 1733; its Extent, and Divisions into Parishes.

THE Island of ZETLAND lies about 20 leagues N. E. from the Orkneys, between 60 and 61 degrees N. latitude, and longitude between 2 and 3 W. from London, having the German Sea on the east, the Ducalidonian Ocean on the west and north, and the sea that divides it from the Orkneys on the south. It consisting of 33 inhabited islands, many whereof are very small and inconsiderable; containing some one, and others two or three poor families. The whole island together is in length, from north to south, 64 miles; and in breadth, from east to west, 36 miles where broadest; and is divided into 27 parishes, many whereof being very small, two or three of them is united into one parish; each of these united parishes being a bailifvic, and the charge of one minister of the Gospel, being in all 12 parishes, (beside a new erection of Fair isle, Fouilly, and Skeries), in the following order :

B

The

The whole inhabited Islands are,

1 Mainland	Dunrofsnes			Dunrofsnes
2 Braſay	Sandwich	1		Sandwich
3 Noſs	Cunningſburgh			Cuningburg
4 Burray	Gulberwick			Lerwick
5 Houſs	Town of Lerwick	2		
6 Havery	Tingwall			Tingwally
7 Ironderſy	Whitneſs			Whitneſs
8 Papar	Wiſdall			Weſdall
9 Oxnay	Sandſting			Sand
10 Hilduay	Aithſting	4		Iwat
11 Linſduay	Walls			Walls
12 Langon	Sandnes			Sandnes
13 Valay	Iſle of Papaſtowr	5		Papaſtowr
14 Papaſtowr	North Maven			Hilſwick
15 Vemantrie	Delling	6		Ottaberſe
16 Papalittle	Nefting			Soleraſirth
17 Meiklerove	Lamiſting			Scatſloy
18 Lambar	Iſle of Whaleſay	8		Nefting
19 Littlerove	South Yele			Aoniſting
20 Brother Iſle	Mid Yele			Whalſay
21 Biggar	North Yele	9		Hamnavor
22 Stampſt frea	Fetlor			Reſirth
23 Fiſh holm	North Pariſh	10		North Yele
24 Yele	Unſt Mid. Pariſh			Fetlor
25 Haſiaſay	South Pariſh	11		Fwlſwick
26 Fetlor	Braſſay			Baliſta
27 Unſt	Burray			Wick
28 Uyor	Fair Iſle	12		Braſay
29 Whalſay	Foullay			Buray
30 Lingar	Skerries			Fair Iſle
31 Fair Iſle		13		Foullay
32 Foullay				Skerries
3 Skeries				

Mainland contains the Pariſhes of

In the Iſles are the Pariſhes of

Pariſhes Churches in the Mainland are

In the Iſles are the Pariſh Churches,

Zetland is thus divided into twelve parishes, besides the new erection of Fair Isle, Foullay, and Skeries, which did formerly belong, Fair Isle to the parish of Dunroßnes, Foullay to the parish of Walls, and Skeries to the parish of Nesting, and the tythes payable yearly out of them do still belong to the vicars of these parishes.

The biggest island of Zetland is that called the *Mainland*, being in length, from north to south, about 48 miles; and in breadth, from east to west, 20 miles where broadest; but it is so much indented with bays of the sea on all sides, called *Here Voes*, that there is not any part of it two miles from the sea on one side or the other. It contains eight parishes.

First, The united parishes of *Dunroßness*, *Sandwick*, and *Cuningsburgh*, in length, from north to south, 16 miles; and about three miles broad where broadest; surrounded with the sea, except on the north; bounded by Quarfs in Gulberwick, Sandwick, and Cuningsburgh. It is for the most part high mountains, covered with heath and marshes, the arable ground being all upon the sea coast. Dunroßness is the southermost part of Zetland, and is mostly low ground and sandy downs, excepting two promontories; the one called *Fitfall-head*, and the other *Samburgh-head*. There is a good deal of arable ground in these parishes, but much of it is overblown with the sand and lost. They have very little pasture ground in this parish, so they have very few sheep; but in Cuningsburgh they have plenty of them. They have cows, oxen, and horses, but do not make so much butter for exportation as in the other parishes of the country. Most of the inhabitants are fishers; they catch abundance of small fish to feed upon, a few cod and ling for export; but their principal fishing is that of Seath, which they take in that rapid current that runs off Samburgh-head, called the *Rouß*, which

sets away north west with the ebb, and south east with the flood : and when the tide sets against the wind, the waves run very high and break, which is dangerous, and often fatal to the poor fishermen, who use only small yawls, and but few men in each. The feath has a large fat liver, of which they make oil : the fish is salted and dried, and sold at Dundee and Leith. This parish is not so well provided with good harbours for ships as the rest of the country ; on the west side of it there is none, save one at *Bigtown*, only safe in summer ; on the south is *Quindall-bay*, an open place, where a ship can ride safe in summer ; on the east near *Samburgh-head* is *Grootness-voe*, where ships usually lie ; and a little west from that is another harbour called *The Pool*, where small ships can lie aground upon clean sand ; north from that four miles is another bay, called the *Levanwick*, a good summer harbour ; six miles further is a good safe place, called *Aithsvoe*, having but a narrow entry. This is reckoned the most populous parish in Zetland, and contains about 1750 marks of land. It is thought too great a charge for one minister, and there are tythes enough in it to pay two ; but a disjunction cannot be easily obtained, because the vicar of the parish is the greatest heretor in it, without whose consent it cannot be done. There are in this parish three churches ; one at *Dunrosness*, one at *Sandwick*, and one at *Cuningsburgh* ; but the minister preaches for ordinary only at the two former of these ; he has for stipend 800 marks Scots a year ; and a glebe and manse. In this, as also in all the parishes of Zetland, there are several old buildings, called *Pights-Houses*, which I shall have occasion to mention afterwards. There are several holms belonging to this parish, only used for pasture of little value, save one called *Mouffy*, in which is one of these Pights houses, a great part whereof is yet standing, called *The Castle of Mouffy*. This holm or island is about a mile long,
but

but not broad. It lies to the east of Sandwick. There has been some arable ground in it, but it is now only used for pasture. There are rabbits in it, and also in many places of this parish.

The second parish is that of *Gulberwick*, having Cuningburgh on the South, Lingwall on the west, the sea on the north and east. It is about five miles long from north to south, and two miles broad; all mountains covered with heath, and several fresh water lakes. It is a very small parish, having in it only about 330 marks of land, including quarfs. It did formerly belong to the parish of Tingwall, but is of late joined to the town of Lerwick, not formally but casually. The arable ground lying near the sea, the inhabitants are all fishers, mostly of small fish, for themselves to feed upon; they also catch a few cod and ling for export. They have oxen, cows, sheep, and horses; milk and butter in summer. On the east side of this parish stands the town of Lerwick, upon a small bay of the sea, covered with the island of Braffay, which forms a fine large road, very commodious for ships to ride in at all seasons of the year. It is more frequented by foreigners, especially the Dutch, than any other place in Zetland, and is called by them the *Buys-Haven*, the Dutch-herring buys fleet having always made that the place of their rendezvous before they begin the herring fishing, ever since their first entry upon that trade, it being a very convenient place for them to repair their ships when leaky, or to take in fresh water, and they can sail out with any wind, the road having an entry to the south, and another to the north that leads into the sea. They come yearly about the ninth or tenth of June, and lie till the 13th, upon which day they must begin their fishing, and not sooner. I have seen some old men who said that they have seen in Braffay Sound, at one time, 2200 buffes; but these 40 years past there never was above 5 or 600 of them in at once; and, in anno 1702, the

French burned about 150 of them in Braſay Sound, and along the coaſt, ſince which time there never was above 3 or 400 of them in it at once. Theſe Dutchmen uſed formerly to buy a conſiderable quantity of coarſe ſtockings from the country people, for ready money, at a tolerable good price, by which means a good deal of foreign money was annually imported, which enabled the poor inhabitants to pay the land rent, and to purchaſe the neceſſaries of life; but for ſeveral years paſt that trade has failed, few or none of thoſe buſſes coming in, and thoſe that come, if they buy a few ſtockings, it is at a very low price, whereby the country people are become exceeding poor, and unable to pay the land rent. The town of *Lerwick* was built upon account of foreigners frequenting that place. I have known old men who remembred when there was not one houſe there; but now there are about 200 families in it, abundance of good houſes, and fashionable people as are to be ſeen in any town in Scotland of its bulk. At the north end of the town there is a regular fort built at the charge of the government, in the reign of king Charles II. In the time of his firſt war with the Dutch his Maſteſty was pleaſed to ſend over here a garrifon conſiſting of 300 men, under the command of one colonel William Sinclair, a native of Zetland; and one Mr. Milne, architector for building the ſaid fort, with 20 or 30 cannons, to plant upon it for protection of the country. There was a houſe built within the fort ſufficient to lodge 100 men; the garrifon ſtaid here three years; the charge whereof, with the building the fort, is ſaid to ſtand the king 28,000 pounds ſterling. When the garrifon removed, they carried off the cannon from the fort, and in the next war with the Dutch 2 or 3 years after the garrifon removed, a Dutch frigate came into Braſay Sound, and burnt the houſe in the fort, and ſeveral others, the beſt in the town

of Lerwick ; and that in the fort was never repaired since. In the late war with France, the French privateers came into Brafa Sound, and round the whole islands at their pleasure, we having no force to hold them off. They were a more generous enemy than the Dutch, doing little damage to the country, sometimes demanding some fresh provisions, which were readily given them ; we being in no condition to keep them off were glad to purchase their friendship at so easy a rate. The town of Lerwick has no freedoms nor privileges, but is governed by a baillie upon the same footing with the other baillies in the country. There is a church in it, and one minister of the Gospel, who is now minister of Lerwick and Gulberwick. He has for stipend 500 marks, paid him out of the bishop's rents of Orkney, 300 marks by the town of Lerwick, and the tythes of Gulberwick about 200 marks ; making in all 1000 marks Scots yearly, with a free house and yard. As Lerwick chiefly subsists by the resort of foreigners to it, so when that fails it must decline, as indeed it has done for several years past, having been very little frequented by foreigners, and thereby is become very poor. Several projects have been talked of and written upon of late, that might have been very beneficial to Lerwick and Zetland had they taken place ; as that of the British merchants carrying goods from Muscovy and Sweden designed for the plantations in America, that must be entered in Britain, could have them entered at Lerwick, which would save a great deal of time and charges to these merchants ; also the Greenland and Herring Fishery Companies of Britain proposed Lerwick as a most commodious port for lodging their stores in, and for repacking their herrings, melting their oil, and thence exporting the same to foreign markets. The grand objection of these settlements is, that Lerwick is an open unfortified place, and in case of a war
the

the merchants ships and goods would be exposed to the enemy; for removing of which difficulty, would the government bestow a small garrison upon it of only 100 men and about 20 pieces of cannon, and be at a small charge in repairing the old fort, and erecting a small battery or two more, that might be sufficient to secure the place against any ordinary effort the enemy might make against it; and Lerwick being thus fortified, all British ships coming from the East or West Indies could come safely there in time of war, and lye secure until carried thence by convoy, or otherways as the proprietors should direct; and thus Lerwick might become more advantageous to the trade of Great Britain than Gibraltar or Port Mahon; and that for one-tenth part of the charge of either of those places to the government.

3d. The united parishes of *Tingwall*, *Whitnesh*, and *Wisdath*, which are about eight miles long from south to north, and five miles broad, having the islands of Frøndray and Burray on the south, Gulberwick on the East, Nesting and Delling on the north, and Artfling on the west. It is for the most part mountains covered with heath, and many fresh-water lakes; in the valleys is some arable and grafs ground. This united parish is about 1500 marks of land. Most of the inhabitants are fishers; they catch a few cod and ling for export, and abundance of small fish for food. They have oxen, cows, sheep, horses, and some swine, milk and butter, for paying the land rent. On the south-side of the parish of Tingwall is a small village called *Scallaway*, upon a bay of the sea, covered with the island of Frønderay, and it is a very good safe harbour for ships, but little frequented by any. At the east end of the village stands the old house built by Patrick Stuart, earl of Orkney, called the Castle of Scallaway, of which now nothing remains but the stone walls;

walls ; it has been a very handsome tower-house, with fine vaulted cellars and kitchen, with a well in it, a beautiful spacious entry, with a turret upon each corner, and large windows, all grated with iron, which is now all rusted away ; over the entry-gate is the following inscription, cut in stone :

PATRICIUS STEUARDUS ORCHADIÆ ET ZETLANDIÆ
COMES. I. V. R. S.

CUJUS FUNDAMEN SAXUM EST, DOM'ILLA MANEBIT
LABILIS E CONTRA SI SIT ARENA PERIT
A. D. 1600.

It is said, that in building this house Earl Patric did exceedingly oppress the country, by laying a tax upon each parish thereof, whereby they were obliged to find as many men as was needed to serve in the work, and provisions for all the workmen during the work, without a farthing charge to the Earl ; and if any was found deficient, they were punished by forfeiting their whole goods. This little town of Scallaway is much more antient than Lerwick, and was their usual seat of justice ; and all public letters are still executed at the castle of Scallaway, but the head courts are now commonly kept at Lerwick, where the heritors can be better accommodated than at Scallaway, where there are not now above twenty small families, besides two or three gentlemen's seats. Scallaway stands about four miles W. S. W. from Lerwick. Four miles N. from Scallaway is *Laxfrith*, a fine harbour for ships ; on the East side of the country, half a mile East from that, is another bay called *Deals Voe* ; betwixt Scallaway and Laxfrith is a pleasant strath or valley betwixt two hills, for the most part arable and grass ground, in the middle whereof stands the church of *Tingwall*, and the minister's manse hard by it, nigh whereunto is a lake called the Lough of

C

Tingwall,

Tingwall, at the north end whereof is a small plot of ground furrounded with water, and a bridge of a few rough stones piled together to go upon it, called the *Lawtainy*. Here it is said the head courts were kept of old time, where all the Udillers were obliged to convene when called by the forvd or ship magistrate, and coming all on horseback, they had their horses grased in the neighbourhood thereof, for which it is said, that the proprietors of Grifta and Aftar (two adjacent rooms) to make up their damage, had, the former the feat of some lands in Wisdall and Easterhild, and the latter the feat of Quarf and half the feat of Cuningburgh, which continues to this day in the possession of those deriving right from them. Two miles west from Tingwall is a bay of the sea called the *Voe of Restanes*; and a little West from that is another bay called the *Voe of Binanes*; and a quarter of a mile N. W. from that is another bay called the *Voe of Wisdath*. There were formerly in this united parish three churches, one at Tingwall, one at Whitnes, and one at Wisdall; but of late those old churches of Whitnes and Wisdall are laid aside, and there is a new church built betwixt the two; these united parishes also including Gulberwick, the islands of Trondray, Oxney and Hildisay, was an archdeanrie, and the archdean had right to all the tythes and kirklands in that parish, so that the bishop had nothing paid him thereout; which at last falling into the hands of a lay gentleman, he paid the minister of Tingwall nearly 6 or 700 marks of stipend, with the glebe and manor of Tingwall; but that family failing, who were proprietors of the tythes and vicar of the parish, those to whom they had been made over not taking care to pay the minister's stipend, he, with concurrence of the heritors, made application to the lords for plantation of kirk and validation of tythes, who gave orders to the minister to uplift as much

much of the tythes of the parish as paid him his stipend, at the rate of 900 merks yearly : and also for 200 merks out of the tythes of Gulberwick, to the minister of Lerwick, which they have uplifted for several years bygone ; and the proprietor or vicar has not yet appeared to claim his property therein.

4th. Is the united parishes of *Sandfing* and *Aithfing*, being about eight miles long from north to south, and about seven miles broad when broadest, but much indented with bays of the sea, having Wisdall on the east, Dilting and the sea on the north, Walls and Sandnes on the west, and the sea on the south. It is for the most part mountains and marshes covered with heath ; and has many lakes and burns ; the arable and grafs ground is upon the sea-coast, containing about 740 merks of land. This parish is but thinly inhabited ; the mountains serves for pasture to sheep and horses ; they have cows and oxen, milk and butter ; most of the inhabitants are fishers, who take a few cod and ling for export, and small fish for themselves to eat. On the east of this parish is a bay of the sea, called *Bixater Voe*, that runs up north-west about six miles into the country, a fine harbour, but seldom or never frequented by any ships. A little to the south thereof, the *Voe of Sana*, and a little to the west thereof is *Sarla Voe*. Three miles south from that is *Sbilda Voe* ; and on the west of this parish is a long bay of the sea, called *Grutten Voe*, running about 6 miles up into the country ; on the north of it is *Aithis Voe*, and *Brimster Voe*, also *Kilingster Voe*, all good harbours for ships, but seldom or never used by any. Inhabited islands belonging to this parish are *Vemantrie*, lying on the north of it, a small place with only one small family upon it ; and about two miles east from that is another small island, called *Papa Little*, one poor family upon it ; there are two churches, one at Sana in Sanafting, the other at Tival in Aithefting. The

minister is vicar of the parish, and has for stipend half of the corn tythes, and the whole vicarage tythes amounting to about seven hundred marks Scots per annum, with a glebe and manse.

5th. The united parishes of *Walls, Sandnes, and Papa Stower*. Walls and Sandnes is about six miles long from north to south, and about 4 miles broad, having Aithsting and Sandsting on the east, and the sea on the south, west, and north. It is all mountains covered with heath; the arable and grass ground being on the skirts of it upon the sea-coast, amounting to about 626 mark land. The island of Papaſtour lies about two miles west from Sandnes, is about three miles long, and two miles broad, has in it 216 marks of land. On the south of Walls is a small island called *Valay*, which has in it only 24 marks of arable land. Betwixt this island and Walls is a good harbour, called *Valay Sound*. In this parish there are oxen, cows, sheep, and horses; they have milk and butter; most of the inhabitants are fishers; they catch a few ling, cod, and herrings, for export, and plenty of small fish to feed upon; in this united parish are three churches, one in Walls, one in Sandnes, and one in Papa; the minister thereof has for stipend half of the corn tythes, and the whole vicarage tythes amounting to about 800 marks per annum, with a glebe and manse.

6th. The parish of *Northmavin*, about 16 miles long from south to north, and about 8 merks broad where broadest. It is a peninsula, surrounded with the sea save only on the south. It is joined to the parish of Delting by a small neck of land about 40 yards over, called *Mavis Grind*. This is the largest parish in Zetland, but not the most populous; it is all mountains, covered with heath and marshes; a vast many lakes and burns abounding with trouts; all the arable and grass ground is on the skirts of it along the sea-coast, extending to about 1150 marks of land.

land. One mountain in this parish is remarkable for its height, from the top whereof, the horizon being clear, one may see round the whole islands of Zetland; it is called *Roneshill*, and is often covered with snow when there is none any where else in Zetland. The inhabitants of this parish are for the most part fishers; they take cod, ling, and some herrings, for export, and abundance of small fish to feed upon; they have cows, oxen, sheep, horses, and a few swine, milk and butter. On the east-side of this parish is a small bay of the sea, running up south about eight miles, dividing betwixt the parishes of Dilting and Northmaven, all good anchor-ground, but very little frequented by ships. A little north from that is another fine harbour, called *Glufs Voe*. North thereof another, called *Ollaberse*. Farther north is *Quefrith Voe*; and north of that, *Callafrith Voe*. Yet farther north is *Rurra Voe*; all on the east-side of the parish. On the north-west is a bay, called *Sand Voe*; and on the south-side of *Roneshill* is a fine bay called *Runis Voe*, running up 4 or 5 miles into the land. South from that 3 miles is a bay, called *Humna Voe*. On the south-west side of this parish is the bay, called *Illsweek Voe*, upon the north-side of the great bay, called *St. Magnus Bay*; and east from that 2 miles is a small bay called *Hamers Voe*. Farther south 2 miles, is *Gunafter Voe*, and three miles south from that is *Ilfburgh Voe*; a quarter of a mile south from that is a small bay, called *Culfter Minn*, on the west side of *Mavis Grind*. In this parish are two churches, that on the west-side at *Hilswick*, on the east that of *Ollaberie*; the minister of this parish is vicar, having right to the whole vicarage-tithes thereof, and half of the corn tythes, and it is worth about 1000 marks per annum, with a glebe and manse. Inhabited islands belonging to this parish is only a very small one, called *Lamby*, on the east thereof; one family upon it.

7th. The parish of *Delting* being ten miles long from north to south, and six miles broad. It has Gelfound and North Maven on the north, the sea on the west, Aithsting and Wisdall on the south, Nesting and Cunefting on the east. It is all mountains covered with heath and marshes, a great many lakes and burns stored with trouts; the arable ground is along the sea-coast, extending to about 870 marks of land; many of the inhabitants are fishers, mostly of small fish, such as pillocks and fellocks, of whose livers they make a good deal of oil some years, especially those who live about Yelfound, where there goes a rapid tide, in which these fish delight most to swim, and there they are fattest. There are very few fishers of cod and ling for export here. They have cows, oxen, sheep, horses, and some swine, milk, and butter. Inhabited islands belonging to this parish are those of *Muckle Rooc*, in which are four or five small families on the west side of the parish. On the north thereof is *Little Rooc*, one family on it; *Brother Isle*, a very small isle; *Bigga* a small isle; *Picbolina*, one family upon it. There are in this parish two churches, one at Scalfla, the other at Olnafirth. The minister is vicar of the parish, and has for stipend all the vicarage tythes, and half the corn tythes, and it is about 800 marks Scots a year.

8th. The united parishes of *Nisting*, *Lumsting*, and island of *Whalsay*. Nisting and Lumsting is 9 miles long from north to south, and 4 miles broad where broadest, but very unequally. It is all mountains and moor, many fresh-water lakes and burns, with plenty of trouts in them; the inhabitants are for the most part fishers, as they are also in the island of Whalsay, which is three miles long, and a mile broad, mostly moor-ground; the arable land is upon the sea coast. This island contains about 220 marks of land, as Nisting and Lumsting do

do 510 marks of land. There is some ling and cod caught here for export, and plenty of small fish; they have cows, oxen, sheep, horses, and some swine, milk and butter. In this parish are three churches, one in Nesting, one in Lumfing, and one in Whalfay. The minister is vicar of the parish, having for stipend the whole vicarage tythes, and half the corn tythes, amounting to about 800 marks a year, with a glebe and manse. Inhabited island belonging to this parish is a small one nigh Whalfay, called *Linga*; one small family upon it. *Skeries* also belongs to this parish, but is now joined to Fairisle and Fowlay. These eight parishes lie upon the main land of Zetland.

9th. The island of *Yell*, sixteen miles long, and 6 miles broad where broadest, lies about one mile north from Delting, is for the most part all mountains and moor, and is divided into the parishes of *South Yell*, *Mid Yell*, and *North Yell*, the two former being united in one parish, and the latter joined to the island of Feltor. South and Mid Yell contains about 1017 marks of arable land, which lie all in the skirts of it along the sea shore. The inhabitants are for the most part fishers; they take some ling and cod for export, and plenty of small fish to feed upon: they have cows, oxen, sheep, and horses, milk and butter. In Mid Yell, upon the east-side, is a small bay, called *Refirth Voe*, a good safe harbour for ships; on the east-side, half a mile west from that, is a bay called *Whalefirth Voe*, which leads out to the west sea, and also a good harbour, but seldom or never used. In South Yell, upon the east side is *Bura Voe*, a very safe small harbour; two miles west from that is *Hamna Voe*, a good harbour; and four miles west from that is *Leadie Voe*, a good harbour. In this parish are two churches, one at Hamna Voe in South Yell, the other at Refirth in Mid Yell. Inhabited islands belonging to this parish are *Hafcajay*, a small island

island on the east side, one family on it; and *Sampefrea* on the south, a small island, two or three poor families upon it. The minister is vicar of the parish, and has for stipend all the vicarage tythes, and half the corn tythes, which is about 800 marks a year, and a glebe and manse.

10. The united parishes of *North Yell* and *Fetlor*. The island of Fetlor is about 4 miles long, and 3 miles broad where broadest; it lies about two miles east from Yell; it is for the most part dry bare ground; there is in it 784 marks of arable land, all six-penny land; the inhabitants are for the most part fishers, they take ling and cod for export, and plenty of small fish for food; they have oxen and cows, but few sheep and horses, having little pasture-ground; they have abundance of milk and butter. North Yell contains 640 marks of arable land; the inhabitants are mostly fishers, they catch ling and cod for export, and abundance of small fish to feed upon; they have oxen, cows, sheep, and horses, milk and butter; on the north east is a small bay called *Bulla Voe*, a safe place for ships; four miles farther south is another bay, called *Celles Firth Voe*, a safe place for ships. In Fetlor there is no safe harbour. There was formerly a lay vicar here, and this parish belonged to Yell; but in 1713 it was disjoined, with consent of the gentleman who had right to the vicarage, who was allowed as many years of the tythes as paid the sum he laid out in the purchase of it, and now the minister of this parish is vicar himself, and has for stipend all the vicarage tythes, and half of the corn tythes, extending to about 800 marks a year; he has two churches, one at North Yell, and one in Fetlor.

11. The island of *Unst*. This is the northmost of all the British islands. It is eight miles long, and four miles broad; it lies a mile north-east from Yell, in the Sound or Straight betwixt

which, called *Bluma Sound*, runs a very rapid tide, setting away north with the ebb, and south with the flood, as all the tides about Zetland do; but in all these Sounds or Straights betwixt the Islands there are two or three tides running contrary to one another, as when the great current in the middle of the Sound sets north, then there is a tide at each shore, called the Edy-tide, that sets as fast south, and so shifts about as the great current alters. At the north point of this island, called *Ska*, goes a very rapid current, like the Roust of Sumburghhead, wherein also there swim plenty of that fish called Scath; but the fishers here have not the way of catching them. This island of Unst is somewhat plainer than the other isles of Zetland, and is for the most part dry bare ground, very rocky, and is divided into the *south wall* and *north* parishes, and contains about 2050 marks of land, all cheap land, 6 pennies the mark, and generally it is improven. The inhabitants are for the most part fishers; they catch ling and cod for export, and abundance of small fish for food. They have oxen, cows, some sheep, and plenty of very little horses; they have milk and butter for paying the land-rent. On the east of Unst is an island called *Baltay*, in which there has been some arable ground, but it is now only used for pasture. It covers a fine bay called *Ballasound*, and a good safe harbour. On the south is another island called *Uya*, containing 84 marks of arable land, and one family upon it. It covers a bay called *Uya Sound*, a good road for ships. In this parish are three churches; that in the south parish is the church of *Wich*, in the mid parish is the church of *Balista*, in the north parish that of *Harlswich*, and one minister. There is a lay-vicar, who pays the minister a yearly stipend of 900 marks; he has also a glebe and manse.

12. The islands of *Brassay* and *Burray*; the one lying on the east, the other on the west side of the main land, at about six miles distant from each other. *Brassay* lies east from the town of *Lerwick* about a mile. It is three miles long from north to south, and two miles broad. It is somewhat mountainous, mostly covered with heath and moss. The arable ground is on the skirts of it, extending to 294 marks of land. The inhabitants are mostly fishers; they catch ling and cod for export, and small fish to eat; they have oxen and cows, a few sheep and horses, milk and butter. There are in this island two little old churches laid aside, and one new church, lately built more convenient. There is a small island belonging to *Brassay*, lying on the east thereof, called *Noss*, in which are 60 marks of arable land, and two or three families. On the north side of *Brassay* is a small bay called *Aiths Voe*, a good harbour. *Burray* is about three miles long, one broad; it is mostly dry bare ground; the arable ground is along the sea-shore, extending to 192 marks of land. The island of *Houfe* thereto belonging is about two miles long, contains about 60 marks of arable land, and there are four families on it. Another small island thereto belonging, called *Havery*, has two families on it. Betwixt the islands of *Houfe* and *Burray* is a good harbour for ships. To the east of *Houfe* is a long bay called *Clift Sound*, also a good harbour. There is a church in *Burray*; the minister of *Brassay* and *Burray* is vicar of these islands, and has for stipend all the vicarage tythes, and half the corn-tythes, which amounts to about 700 marks per annum.

13. The new-erected parishes of *Fair Isle*, *Fowlay*, and *Skerys* are very small, but the most discontiguous parish in Britain. *Fair Isle* is a small island about two miles long, one broad; it lies about eight leagues south from *Samburgh-head*,

contains 96 marks of good arable ground. The inhabitants are all fishers, they catch ling, cod, and saith, and plenty of small fish. There is a small bay on the north side of it, where boats or small barks can ride safe; they have some oxen, cows, and a few sheep. Fouilly lies twelve leagues north-west from the Fair Isle. It is a small but very high island. There are in it 54 marks of arable land, and some grass ground. The inhabitants are fishers, they catch cod and ling, and abundance of small fish. They have great plenty of sea-fowls, that nestle in the high rocks of the island, and many of the inhabitants are dexterous in climbing these rocks to take the young fowls before they can fly, but often lose their lives by falling over the rocks into the sea. On the north-east side of the island is a small bay, where any small vessel can lie safe in summer. They have some cows, and sheep. Skerries lies 20 leagues north east from the Fair Isle. It is composed of three very small islands, lying near each other in a triangle, which forms three small entries to a little safe harbour in the middle of them. The biggest island is called *Houffy*; the other *Browary*; and the third *Grunay*. The two former are inhabited; the first containing 36, and the other 18 marks of arable land; the inhabitants are all fishers; they catch some ling and cod for export, and abundance of small fish to feed upon. They have a few cows and sheep. There is a little church at Fair Isle, one at Foulay, and one in Skerrys; the minister thereof resides at Fair Isle, and visits Foulay and Skerrys once a year, staying in each of them a week or two, and then returns to his common residence. He has his stipend paid him by the general assembly of the church of Scotland, out of the fund allowed by the king for defraying the charge of the assembly; his stipend is only 400 marks Scots a year, which is little enough considering his travel and dangerous passage.

C H A P. II.

Of the first Inhabitants of ZETLAND, and its Name.

WHEN these islands were first inhabited, or by whom, we have no certain account. Some think the Pights, or Picts, were the first inhabitants; others, the Norwegians: however, it is certain, both did inhabit them, but at what time, or how long they were possessed by the Pights, I could never see any such account thereof as is much to be depended on; however peremptorily asserted by some of our old Scottish historians, who talk of a long succession of the Pights, kings of Orkney and Zetland. But whatever may be in that, there are some such vestiges remaining to this day as sufficiently prove that the Pights did possess Orkney and Zetland; as that of a vast many old buildings, called Pights houses, of which here are several yet to be seen in every parish of Zetland; many of them one or two stories high, yet standing, and they are all built after one form, that is, round, of large rough stones, very well laid; but these buildings are not alike great, some of them not twenty feet diameter, others thirty feet within the wall, which is ten or twelve feet thick, the heart whereof is all little apartments and stairs; they have had no windows, and a very little entry door. Whether they have been roofed at top or not does not appear, but they have all been built in the most inaccessible places, such as surrounded with water, or upon some high rock, and some have two or three walls of earth and stone round them; and they are still known by the name of Pights houses, or burghs. Now *burgh*, in the Teutonic language, signifies a castle or fort, as *Pight* derived from *Pfightan*, another word in that language, signifying

ing to *fight*, or *fighters*; and these Pights are said to come from Germany, and to have spoken that language; and all these Pights houses are so situate within sight of each other, that by a signal of fire or smoke they could alarm the whole country in less than one hour of the approach of the enemy, or any other danger. But at what time, or how long these Pights did possess Orkney and Zetland is still uncertain.

That the Norwegians did long possess the island of Orkney and Zetland is uncontrovertible; but that they were the first discoverers of these islands (as some would have them) is very doubtful. That which seems most to favour the Norwegians pretension is, that the names of the islands and places in them are all Danish, and continue so for the most part to this day; and the customs, manners, and language of the old Zetlanders, with their way of living, were the same as in Norway, even down to the time of some old men yet living; and the greatest part of the vulgar inhabitants, and some of considerable note here, still reckon themselves of Danish extract, and are all Patronymics, whereby they are distinguished from those that have come from the continent of Britain, who have all surnames, and have for many years past been the most considerable, though the least numerous. Still these old Danish inhabitants value themselves much upon their antiquity, and scorn to take surnames as a novelty unknown to their fore fathers; particularly one Patrick Gilbertoon, of Ilsburgh, an old man about ninety years, alive at writing hereof, reckons himself the 22d generation, in a lineal succession, possessors of Ilsburgh, stiled Patronymics; and many more here, that account themselves of very long standing. But, however far the names of places, customs, language, and traditions of the old Zetland inhabitants may go to prove them of Norwegian extract, yet considering the
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affinity of the language spoken by the Pights, and that spoken by the Norwegians, being both of Teutonic original, as also that of their customs and manners, being so near neighbours, I think the Pights stand as fair to be the first inhabitants of Orkney and Zetland, as the Norwegians, and therefore shall leave them to share that honour betwixt them, and allow the antient inhabitants to be equally descended from both, and I know not by which they have the most honour. So much for the first inhabitants of Zetland. In the next place I shall a little consider its name.

These islands are known in our English language by the name of *Zetland*. They are called in Dutch *Hetlandt*; by the Danes and Norwegians, *Yetlandt*. Without naming any more languages, as nothing to the purpose, the name appears plainly to be of Teutonic or Gothic original; for the Dutch name *Hetlandt* is made up of two words, as *het* signifies *called* or *named*, and *landt* is *land*, which in English may be rendered *called land*, or *a land*. The Danish name also is two words, *yet* and *landt*, the first signifying the number *one* or *a*, and the other *land*, which two words may be expressed *an land*, or *a land*; nay, even the English name of it also contains two words, if it be allowed that the letter Z was not many years since used for Y in our writings, and then it would be pronounced *Yetland*, by which it would seem that the first discoverers, having found Orkney sailing north, he who first saw Zetland called out *Yetland*, or *a land*, which became the common name of those islands. This to me appears the most probable conjecture, leaving others at liberty to find out a better etymology thereof at their pleasure.

C H A P. III.

A Description of the Air, Soil, and produet of Zetland.

AIR.] Zetland, being very mountainous, abounding with fresh-water lakes and marshes, and furrounded with the sea, is for the most part still covered with fogs, which make the air thick, and therefore not so cold in winter as many other places of a far more southern situation, but unwholesome to breathe in, and occasion frequent fevers, colds, rheums, and scurvey, the common diseases of the country; but the often and exceeding hard gales of wind that blow here help to purify the air, as also in winter, sometimes frosts and snow, which seldom last long, so that it is not very cold here in winter, nor is it oft warm, much less hot in summer, and the air is tolerably healthful.

SOIL.] These islands lying in the 13th north climate, and furrounded with the sea, cannot be thought very fertile; and being all mountains and marshes, so soaked with the almost perpetual rains that fall here, especially in the winter season, the ground is kept so cold, that little or nothing can grow out of it, especially the inland part, which is generally all covered with heath and moss; the arable and grass ground is mostly nigh the sea-coast, and produceth only small oats, and bear, a kind of barley. In some places there is very good grass-ground and hay; but the people have not the right way of making their hay, nor have they often so much dry weather as to make it good. The arable land in some places here is very good, and yields as much increase in good years as they have in better countries; and the arable ground might be much more improved, but the people are generally taken up about the fishing in summer, and in winter it is bad weather and short days, so there is little to
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be done without doors. There grow no trees here. In the gentlemen's small gardens grow very good roots, such as turneps, parsneps, carrots, and crurnocks, falet, and all such herbs and flowers as grow in the north of Scotland will grow here, if pains be taken about them; also gooseberries, currants, strawberries, and artichokes. Fruit and barren trees will also grow if fenced with a ditch, and much care taken about them, but seldom come to bear fruit; potatoes grow here, but the people will not be at the pains to plant them; there is plenty of cabbage much used by the inhabitants.

Of the oats and barley that grow here they make meal and malt, but never have so much thereof in the best years as to serve the country; and in bad years not so much as will serve them four or six months in the year; so there are yearly imported from Orkney and Scotland considerable quantities of meal and malt.

There is in several places abundance of limestone, and those places are reckoned the best arable and grass ground; in other places are quarries of free-stone, and in others slate.

There were never any mines discovered yet in these islands; but some are of opinion, that lead and iron mines might be found in some places of them. For fuel they have peat or turf, dug out of the moss the beginning of summer, and dried with the sun, and so put up in stacks for use, some whereof are little inferior to the best coals.

In all these islands are plenty of fresh water springs, besides the lakes and burns.

BEASTS]. In all these islands are oxen and cows of somewhat larger size than those in Orkney and Caithness; the oxen serve for plowing the ground, and the cows for giving milk, of which they make butter, wherewith most of the land rent is paid, and it is as good as any where else when rightly made; but
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the people being careless in making the rent butter, it is undervalued at foreign markets, which is a great loss to the country, and some efforts have been used of late to oblige the people to make the butter right, so they begin to make it better. They keep just as many oxen and cows as they can find fodder for in winter.

In many places there is plenty of sheep of a small kind, like those in the north of Scotland, and they might be much more numerous than they are, if care was taken of them as in other places; but they lie summer and winter in the open fields exposed to the rigour of the season, and have no food but what they can find for themselves; and in snowy winters most of them die with hunger and cold. They do not shear the sheep here; but in the month of May their fleece begins to loosen, and then it is pulled off, and against winter another is grown up sufficient to protect them from the cold. Of the sheep-milk they make some butter and cheese, which is not reckoned so good as that of the cows milk; and of the wool they make coarse cloth, stuffs, stockings, &c. but the want of walk-mills is a very great loss to the country, to supply which, and for the encouraging the woollen manufactories there, the right honourable the Earl of Morton has been pleased of late to order a walk-mill to be built at his Lordship's expence, for the benefit of the country; what wool they have more than serves the country is bartered with the Orkney men for stuffs and linnen-cloth yearly.

Here are horses, but of extraordinary small size, some whereof are very pretty and of excellent mettle, and will carry a man over these mountains and moor, where a large horse could be of no use, and they are otherways very serviceable to the country people, and would be more numerous if any way cared for; but they lie out in the open fields summer and winter, and get

no food but what they can find for themselves; so in bad winters many of them die with hunger and cold. It will, no doubt, be wondered at by strangers, that so little care is taken about these sheep and horses which are so useful and beneficial; the reason whereof is, that the poor inhabitants, having used their utmost endeavours, can scarce find food and shelter for their oxen and cows, without which they could not live; and in hard winters many of them die for want of fodder, so they have none to bestow on their sheep and horses, until they find more time to improve the land.

Here are also swine of a small kind, and they might be much more numerous than they are, but, being found very hurtful in turning up and spoiling the grass ground, the people are restricted by a country act to such a small number proportionable to the land they labour, which number they must not exceed. The best mutton and pork here, when rightly fed, is as good as any where else, and there is just as much of it as serves the country, but little or none for export, the reason whereof is, that the common people having little bread, must eat the more flesh, they living more upon fish and flesh than bread.

There are no wild beasts in Zetland, except rabbits, of which there is plenty in many places of the country; nor is there any noxious animal, save the whitred or weasel, who is very hurtful to the rabbits and wildfowls, destroying the young brood in all these islands, or tame fowls, such as hens, geese, and ducks, few of any other kind; wild fowl were much more numerous than now, such as plovers, whapes, ducks of several kinds, snipes, sterlings, sparrows, larks, and such small birds; wild doves, lapwings, and chalders. There is also here over winter swans, herons, wild geese of several kinds, who all go away in the spring, and return again in autumn. Here is abundance
of

of hawks of different kinds, eagles or erns, corbies, crows, and chalders, or sea piats; many sea fowls, as ember geese, rain geese, scarfes or cormorants, gulmawes, kitiweaks, lires, tarets, &c. Amphibious creatures here are seals and otters. We have no rivers, but a great many burns, or rivulets, well stored with trout, that swim in them from the fresh-water lakes to the sea, and again return by them to these lakes at several seasons in the year. There are of those trouts as big as ordinary salmon. Other fresh-water fish here are only eels and flouks or flounders. Salt-water fish round the coast of all these islands are herring in great abundance, in the months of June, July, August, and September; but they are best in June and July; mackrel, ling, cod, fresh haddocks, whittings, turbot, fluiks, skets, conger eels, crowners, and *saith*, which is a large black fish as big as a cod, and the younger sort of these, very small, called *sellocks* and *pellocks*: These small fish are of great use to the country people, who feed upon them most part of the year, and of their livers they make considerable quantity of oil. There is also upon these coasts, at some seasons, vast numbers of *boas*, a kind of smaller shark, very hurtful to the fishermen's lines and nets; also a big sort of them called *boaskers*, with skins like shagreen. At some times there come upon these coasts a great many small whales of different kinds, and when falling into a bay, the country people collect as many boats as can be got, and drive them into a creek, and there kill them with scythes, spits, and such other weapons as they can afford. As soon as they are got ashore, the bailie of the parish is advertized, who comes to the place, and takes care that none of them are embezzled; and he acquaints the admiral thereof, who forthwith goes there, and holds a court, where the phiscal presents a petition, narrating the number of whales, how and where

drove ashore, and that the judge may give judgement thereupon according to law and the country practice; whereupon the admiral ordains the whales drove on shore to be divided in three equal parts; one of the parts to belong to the admiral, one part to the falvers, and one third part to the proprietor of the ground on which the whales are drove ashore, and appoints two honest men to divide the whales, and mark them with the letters A. B. C. These dividers are judicially sworn to divide them equally, which being done, each third share is marked with a letter, and drawn accordingly as decerned by the admiral; the minister or vicar of the parish claims the tythes of the whole, and commonly gets it; the baillie also claims the heads for his attendance, and if the admiral find that he has done his duty, the heads are decerned to him, otherways not. The biggest of these whales will be about 18 or 20 foot long; but most of them not half that length; of their spih they make oil, and the best kind will yield about a barrel of oil each over head, or a little more; but, if they are of the smaller kind, they will yield much less; there is a vast deal of trouble and charge in making the oil right.

There are in most places of these islands plenty of shell fish, such as oysters, muscles, cockles, cullock spouts, buckies, wilks, limpets, crabs, and partans; but very few lobsters.

Product of Zetland for Export.

Commodities yearly exported are, salt well dried, cod, ling, tusk, and saith fish, some stock-fish and salted herrings, butter, fish-oil, stockings and worsted stuffs, to foreign markets; and wool, horses, and skins, coast-ways to Orkney and Scotland. For exporting the fish, butter, and oil, which is the principal product of Zetland, there used formerly ten or twelve small ships to come here annually from Hamburgh and Bremen; and these Hamburgh and Bremen merchants had their booths in the

most convenient places, where they received the fish, butter, and oil, from the country people. They salted and dried the fish themselves, and staid for receiving these goods from the first of May till the last of August. They paid the proprietor of the ground a considerable rent yearly for their booths, and the use of the ground upon which they cured their fish. These foreigners did yearly import hemp, lines, hooks, tar, linen-cloth, tobacco, spirits, and beer, for the fishers, and foreign money wherewith they purchased their cargoes. But when the high duty was laid upon foreign salt, and custom house officers sent over, and a custom-house settled at Lerwick, these foreigners could not enter, and so the inhabitants, and many of the heritors or landlords, were obliged to turn merchants and export the country product to foreign markets, and had, in return there for money and such other necessaries as the country could not subsist without; but the prime cost of the fish here being very dear, and a standing price which the fishers will not alter; (viz.) 3d. each ling, $1\frac{1}{2}$ each cod, and 5 shilling sterling each barrel of herrings, considering the great fatigue and charge the poor fishermen are at, and the small quantity they catch, they cannot afford to sell them cheaper; however, such a prime cost, with the value of the salt, and cash and charges in curing them; and that foreign markets often prove very precarious, the exporters seldom make much by these goods exported; nay, when ship's freight and charges are deducted, they oftener lose than gain; but the bounty-money allowed upon fish exported helps to stop some of the charges, otherwise they could not be able to carry on that trade, as markets have been abroad for several years past, that neither fish, butter, nor oil, has given any price. Saith fish are only caught in the parish of Dunrossness, and are cured with home salt, and sent coast-ways, and sold at Leith and Dundee;

Dundee ; there are but few herrings cured here for export, by the inhabitants ; but vast quantities are yearly taken by the Hollanders upon our coast in the months of June and July, that being the time that the herrings are best ; the bounty-money allowed by the government upon herrings exported is very small, being only 2s. 8d. per barrel, which discourageth our merchants to cure them for export, being a great charge in curing them, and markets very uncertain ; wool is only exported to Orkney, which is generally bartered with the Orkney men ; as also our little horses, called by them Shelties, for worsted stiffs, and linen cloth.

The longest days here may be reckoned about twenty hours, for from the first of May to the middle of July, we have no night, but a twilight for a few hours, so that one may read a letter at 12 o'clock at night, if the horizon be not very much overclouded ; and the shortest day, which is the beginning of December, will be about 5 hours, the sun rising a little before ten, and setting as much before three.

C H A P. IV.

Of the Manners, Language, and Religion.

MANNERS]. The antient inhabitants of Zetland were a very indolent simple sort of people, who lived very meanly : they were all fishers, and their food for the most part was fish and milk, being at little or no pains to improve the ground, so they had little bread, or malt drink. They drank a sort of whey, called *bland*, of which they made considerable quantities in summer, while they had plenty of milk, and laid it up for winter stores, and it is still the drink most used here amongst the poorer

poorer sort, who are not able to afford better; and it is said, that the men were stronger, and lived much longer, before they knew the use of malt drink, or spirits, than what they do now since these became more common. They had but little arable ground, and that was for the most part the property of the possessors thereof, who were all little heritors, or udellers, and was conveyed to their successors by a title called *Udell Succession*, of which afterwards. After Zetland became subject to the crown of Scotland many Scottish people came over to it, some in a civil, others in an ecclesiastical capacity, and settled here, who in process of time acquired most of the arable land from the antient inhabitants, who became their tenants, and were obliged to improve that ground for others which formerly they had neither thrift nor sense to do for themselves. These in-comers brought the customs and manners of the party they came from to take place here, and are at present much the same as in Scotland. Most people of condition having their children educated at Edinburgh, the gentry are as polite here as elsewhere, and live as handsome, according to their small income, and what they can afford, as any in Britain of their rank; the common people also in their manners and way of living are no way inferior to those of that kind in the north parts of Britain; and most of them striving to live better than what they can afford, they are generally poor, but it is with them, as in all other places, the industrious and saving are rich, and the indolent and careless miserable poor; the last being still most numerous in the islands of Zetland.

LANGUAGE.] The antient language spoken by the inhabitants of Zetland was that of the Norwegians called *Norn*, and continued to be that only spoken by the natives till of late, and many of them speak it to this day amongst themselves; but the
language

language now spoken here is English, which they pronounce with a very good accent; and many, especially about Lerwick, speak Dutch very well, having had frequent occasion to converse with the Dutch people.

RELIGION]. The antient religion of Zetland was Paganism; but the Christian religion was planted here as soon as in the Orkneys, they being from the beginning one bishoprick. Who was the first bishop, and how many bishops there have been of Orkney and Zetland, may be seen in our Church Histories of Scotland, to which I shall refer any who want to be informed thereof; but the bishop still had his residence in Orkney, and planted Zetland with priests and such other clergymen as he thought proper, who made it their business to instruct the poor simple inhabitants, who were naturally superstitious, in all the gross errors of the church of Rome, especially the doctrine of merit, by which they persuaded the ignorant Udelers to make donations of their lands to the church, in the name of some Saint, who would intercede for them, and bring them to heaven, as they believed; whereby a great part of the Udel lands of Zetland came to the bishop of Orkney. The first protestant bishop of Orkney and Zetland is said to have been Adam Bothwell, who, having been long bishop thereof, did at last make an exchange of that bishoprick with Robert Steuart, natural son to king James V. for the abbacy of Holy-rood-house, of which the said Robert was prior, by a gift from the king his father. This Robert Steuart having got possession of the said bishoprick, and the Sinclairs, formerly earls of Orkney, being attainted for some crime against the crown, the said Robert was by king James VI. created earl of Orkney and lord Zetland, upon the 21st day of October, 1570, the said earldom and lordship being by the king made

made over to him and his heirs for ever, he became heritable proprietor thereof, together with the bishoprick at that time. Being shortly after the Reformation the church of Scotland was under presbyterian government, with a superintendant in each diocese, with something of episcopal power in church affairs. But whoever was superintendant of Orkney, earl Robert during his life, and Patrick his son and successor after his death, did rule in all matters civil and ecclesiastick at their pleasure Anno 1606, the king, with consent of parliament, having established episcopal church government in Scotland, *James Law* was made bishop of Orkney and Zetland; but he received none of the bishop's rents as long as Patrick earl of Orkney lived, after whose death and forfeiture, the islands of Orkney and Zetland were annexed to the crown of Scotland; and the said bishop Law, with consent of his chapter, did enter into contract with the king; whereby they dispoise and resign to his majesty and his royal successors all their ecclesiastical lands and possessions in Orkney and Zetland, with all rights and securities belonging thereto, to be incorporate and united to the crown for ever; and the king gives back and dispoises to the bishop as much lands and tythes in Orkney as his majesty judged a sufficient patrimony to the bishop of Orkney and Zetland, to be possessed and enjoyed by him and his successors in all time coming: the king also dispoised to the bishop and his successors the right of patronage to present to all the vicarages of Orkney and Zetland, with power to them to present qualified ministers as often as the kirks became vacant, disposing also to them the heritable and perpetual right of jurisdiction of sheriff and bailiff within the lands and patrimony of the bishoprick, excerning all possessors thereof in all causes, civil and criminal, from the jurisdiction of the sheriff and steward of the earldom, together also

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with the commissarist of Orkney and Zetland, with power to constitute and ordain commissars clerks, and other members of court. This contract betwixt the king and the bishop was made anno 1614, containing several other church privileges and benefices to ministers; which was in the following year ratified and confirmed by act of Parliament, called the Act of Platt, whereby all the ministers of Orkney and Zetland were provided to stipends, which continue so still. To this bishop Law succeeded *George Graham*, anno 1615, as bishop of Orkney and Zetland, who possessed that bishoprick till anno 1638; at which time the church of Scotland being again brought under Presbyterian government, Graham was divested of his bishoprick, and during the continuance of Presbytrie the bishop's rents of Orkney were granted by parliament to the city of Edinburgh, who uplifted them by factors and farmers till anno 1662; that episcopacie was restored by king Charles II. after his restoration, who made *Thomas St. Serff* bishop of Orkney and Zetland; he lived about two years after his instalment, and was succeeded by *Andrew Honyman*, anno 1664, as bishop of Orkney and Zetland, who held the said bishoprick till anno 1676. To him succeeded *Murdock Mackenzie*, who continued in the possession of that bishoprick till anno 1688, about which time the Revolution happened in Scotland, and Presbyterian church government was restored. But the ministers of Orkney and Zetland continued in their charges, under their episcopal ordination, without any disturbance, being never enquired after till anno 1700, that a committee was sent over by the general assembly to settle the church government in Orkney and Zetland, where all the ministers conformed to Presbytrie, and signed the confession of faith, and were continued in their kirks, save two or three, more bigotted than prudent, who would not conform, so were turned
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out of their kirks. And ever since Zetland has been under Presbyterian church government. There are in Zetland twelve ministers, besides the new erection of Fair Isle and Fouilly mentioned before. These thirteen ministers make the Presbytrie of Zetland, who send yearly one of their number as commissioner for them to the general assembly. Each of these ministers have the charge of a parish, and in each parish in Zetland, save Lerwick, there are two, and in some three parish churches. The country, being most part barren mountains, is but thinly inhabited, which makes wide parishes, and finds the ministers abundance of fatigue in travelling through their charges about their ministerial work, wherein many of them are very careful, and the people, generally speaking, are most obedient and submissive to them, and the ministers here, as in other places, are esteemed and revered according to their prudent and becoming conversation. Their church discipline by kirk sessions, constituted of elders and deacons, is in the same manner as commonly practised in Scotland. Before the Restoration of patronage, the Presbytrie had the power of presenting ministers to vacant congregations; but, by the act restoring patronages in the reign of the late queen Anne, that of Orkney and Zetland was by her majesty bestowed upon the right honourable the earl of Morton, who is patron of all the kirks in Orkney and Zetland. This act of patronage is reckoned a great grievance by our Presbyterian ministers, and presentations are very ill looked upon by them, especially the hotter sort. However, there was never any opposition made to them here; for the earl having always treated the Presbytrie with a great deal of civility and kindness, they are most unwilling to go upon any thing that might in the least disoblige his lordship. Whenever a parish becomes vacant, the earl presents some qualified person to be minister thereof, who

having past the ordinary trials before the Presbytrie, and been approven by them, as also having a popular call from the parish where he is to be minister, he is then ordained minister in common form, by laying on of the hands of the Presbytrie, &c. While any parish remains vacant, the vacant stipend is collected by the earl's orders, which his lordship always bestows upon pious uses in the parish; and did never appropriate a farthing thereof to any other use.

There being no fund in any parish in Zetland for a school, few of the common people were taught to read. The want of parochial schools has been long much complained of by the ministers, and many efforts were made to have a school settled in every parish by a voluntary contribution of the inhabitants, which when set up in any one place in the parish was found to be of little use to the whole, they lying so discontinuous, and those at a distance were not capable to board their children from home; so such as had no benefit by the school refused to pay their quotas; and hence the school broke up before it was well settled, and we have only one school for Zetland from the Society for Propagating of Christian Knowledge, which has been in several parishes. In anno 1725 a proposal was set on foot for settling a fund in each parish for maintaining a school, and in a full meeting of the heritors at the head court the scheme was presented to them by the steward depute, copies thereof having been sent several months before to the whole baillies in the country, to be intimate to the heritors in their respective parishes; and the right honourable the earl of Morton having consented thereto, the whole heritors of Zetland did sign their consent also, and craved that an act might be made thereupon, and the authority of the Steuart court interposed thereto, which was accordingly done. The Proposal and Act thereupon
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is in the Appendix to this book, which now obtains in several parishes, and in others much neglected, just as the principle heritor of the parish stands inclined to promote such a public good work.

C H A P. V.

Of the Government of ZETLAND, antient and modern.

THE most antient government that can any way be gathered of Zetland is that it was under while subject to the kings of Norway and Denmark, who had a governor here called the *Fowd* of Zetland, who was judge in all causes civil and criminal. Under him was a judge in every parish, called the *Fowd* of the parish, who only was judge in small matters, and for keeping of good neighbourhood amongst the inhabitants, and in case of any thing falling out above his jurisdiction, he was to acquaint the grand Fowd thereof, and to send the malefactor to him to be tried. The Fowd of Zetland was also chamberlain, and collected the crown rent, which was at that time only a redendo called *Scat*, payable in butter, fish oil, and a sort of very coarse cloth, called *wad-mill*; the arable ground being all at first the property of the immediate possessors thereof, which went to their successors by a verbal title called *Udell succession*, whereby all the children, male and female, succeed equally to the father in his estate, heritable and moveable. These poor Udellers were miserably oppressed by the governor, or Fowd, and kept under, being forbidden all sort of commerce with foreigners, as the subjects of that king are to this day in Fairo and Island; so there was no such thing as money amongst them; and what they had of the country product more than paid the crown rent, they were obliged

obliged to bring to the governor, who gave them for it such necessaries as they could not be without, and at what prices he had a mind, wherewith they were obliged to rest content, having no way to be redressed. Kept under this slavery, they were miserably poor, careless, and indolent, and most of their young men, when grown up, finding the poor living their native country was like to afford them, went abroad, and served in foreign countries for their bread, and seldom or never returned; so that these islands were but thinly inhabited. Thus Zetland continued under the Danish government, until the year 1470, that king James the Third of Scotland was married to Margaret daughter to the king of Denmark, with whom he got the islands of Orkney and Zetland in dowry, said to be redeemable by the king of Denmark for fifty thousand florins of the Pikine, to be paid to the king of Scotland. But the king of Denmark did, upon the birth of king James the Fourth, his grandson, renounce by a charter under his great seal all right, title, and claim, which he or his successors, kings of Denmark might have, or pretend, to the islands of Orkney and Zetland for ever; reserving to his subjects the Danes their private estates in these islands, which they actually held in Zetland for many years thereafter, till they were at last purchased from them by several gentlemen in Zetland, and are known by the name of *Noraway lands* to this day. And this renunciation of these islands is again confirmed by Christian king of Denmark unto king James the Sixth, when he married the princess Anne of Denmark, sister to the said Christian.

After the islands of Orkney and Zetland became subject to the crown of Scotland, they were conferred by the king upon some noble favourite, with the dignity of earl of Orkney; amongst whom the Sinclairs, earls of Orkney, are said to be the longest possessors,

feffors, but at what time, and how long, they were earls of Orkney I have feen no fufficient documents, and therefore fhall refer the hiftory of that antient and honourable family to fome better hands.

The firft I find dignified with the title of Orkney, after the Sinclairs earls of Orkney, is *James Hepburn*, earl of Bothwell, who was created duke of Orkney by Mary queen of Scotland, fo as he might be the more honourable match for her majefty, who was married to him upon the 15th of May, 1567, in the palace of Holy-rood-houfe, by Adam Bothwell, bifhop of Orkney. This James duke of Orkney built the caftle of Noutland in Weftera, a fmall ifland in Orkney. He is faid to be no good man; and being hated by the nobility, as fufpected to have an active hand in the murther of Henry lord Darnly, the queen's former hufband, he was forced to fly for his life, and came to Orkney, where he found but cold entertainment. From that he came to Zetland, where having ftaid fome time, he went to Noraway, where he was taken prifoner by order of the king of Denmark, and carried to Copenhagen, where he died, after having lain ten years in a vile prifon. Thus ended James duke of Orkney, who had as little pleafure in his high dignity, as Orkney had credit by his bearing the title thereof.

Robert Stewart, natural fon to king James the Fifth, by Euphara, daughter to Alexander lord Elphington, was created earl of Orkney and lord Zetland, by king James the Sixth, upon the 21ft day of October, 1570. This Robert being formerly prior of Holy Rood houfe, which he exchanged with Adam Bothwell bifhop of Orkney for that bifhoprick, as mentioned before, he took poffeffion not only of the earldom of Orkney, and lordfhip of Zetland, but alfo of the bifhop's rents thereof, and fo became fole proprietor of the crown rents,
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and that of the bishoprick; the last whereof was become very considerable, under the management of the popish clergy, unto which he added new acquisitions of lands made by himself, as purchased from the Udellers, more by oppression and forfeitures, than for payment of the value, as is reported of him; and also that he exercised a very arbitrary and tyrannical government over his dominions of Orkney and Zetland, all affairs sacred and civil therein being ordered according to his good will and pleasure. He lived sometimes in Zetland, and built a house at Sumburgh, in the parish of Dumoffness, the ruins whereof are yet standing, called the *West-house*. He had also a house at Wethersta, in the parish of Delting, as appears by his few charter granted to Andrew Gifford, of Wethersta, dated the 8th day of July, 1583, wherein he reserves for his own use two or three rooms in the house of Wethersta. This Robert earl of Orkney was married to Jean daughter to the earl of Caßell, by whom he had Patrick his son and successor.

Patrick, earl of Orkney and lord of Zetland, after his father's death, came to the possession of these islands, and began his government in the same manner his father ruled before him; but is said to be much more vicious and oppressive than his predecessor. Spotswood gives a character of him in these words: "This nobleman (says he) having undone his estate by riotous
 "prodigality, did seek by unlawful shifts to repair the same,
 "making unjust acts in his courts, and exacting penalties for
 "the breach thereof: if any man was tried, to have concealed
 "any thing that might infer a pecuniary mulct, and bring
 "profit to the earl, his lands and goods were declared confiscated;
 "or, if any person did sue for justice before any other judge
 "than his deputies, his goods were escheated, or if they went
 "forth of the isles without his licence, or his deputies, upon
 " what-

“ whatsoever occasion, they should forfeit their moveables, and
 “ which of all his acts were most inhumane, he ordered, if
 “ any man was tried to supply, or give relief unto ships, or
 “ any vessels distressed by tempest, the same should be punished
 “ in his person, and fined at the earl’s pleasure.”

These acts of the earl’s being complained of, and he himself confessing them before the council, they were by them declared unlawful, and the execution of them prohibited in all time coming. And the king being frequently importuned by complaints from the poor oppressed inhabitants of Orkney and Zetland, his majesty was pleased to resolve upon redeeming them from the tyranny they had long groaned under, and for effectuating thereof did purchase from Sir John Arnut a mortgage that he had from Patrick earl of Orkney, upon Orkney and Zetland, in anno 1613, and thereby the king, having taken these islands into his own hands, sent Sir James Steuart, lord Ochiltree, to take possession thereof, as his majesty’s chamberlain, and steward of Orkney and Zetland, which earl Patrick, then a prisoner in Dumbarton castle, opposed, by sending Robert Stewart, his bastard son, with express command to oppose the king’s taking possession of these islands. This he did, but was over-powered by the king’s party, and carried prisoner, with several more of the earl’s servants, to Edinburgh, where they were all hanged at the cross. And in 1614 earl Patrick was brought from Dumbarton to Edinburgh, where he was tried upon several crimes of treason and oppression libelled against him, wherein he was found guilty, and condemned to be executed, and accordingly was beheaded on the 6th day of February said year, and his estate forefault to the crown. This Patrick earl of Orkney built the castle of Scallaway, mentioned before. He had, by oppression, purchased a great deal of

lands from the poor Udellers of Zetland; which acquisitions made by him and his father, together with several annual payments imposed by them upon the poor inhabitants, had raised the crown rents of Zetland to double what they formerly paid to any of their predecessors. And so ended the family of Steuarts earls of Orkney and lords of Zetland.

The king being thus peaceably possessed of these islands of Orkney and Zetland, they were annexed to the crown by act of parliament, and erected into a steuartrie, and an exact rental made out of the whole rents as paid unto Patrick earl of Orkney; which rental is recorded in the court of exchequer: and these rents were thereafter paid in yearly to the king's exchequer by chamberlains and taxmen, until anno 1647, that a wadset or mortgage of these islands of Orkney and Zetland was made over by king Charles I. unto the right honourable *William Douglas* earl of *Morton*, lord high treasurer of Scotland, and knight of the garter, together with the jurisdiction thereof. To him succeeded his son *Robert* earl of Morton; who was succeeded by his son *William* earl of Morton, who continued in the possession of Orkney and Zetland until anno 1662: that king Charles the Second was pleased to redeem the earl of Morton's right to these islands of Orkney and Zetland, and they were again annexed to the crown by act of parliament, parliament 11d. of Charles II. Sessions I. c. 13, and erected into a steuartrie, not to be again dissolved from the crown without consent of parliament.

Orkney and Zetland being thus again annexed to the crown, the king was pleased to make a grant of the rents thereof, together with the jurisdiction, unto *George* of viscount *Grandison*, under the conduct and management of John earl of Middletown, William duke of Hamilton, William earl of Morton, and Sir Andrew Ramsay of Abots-hill, with full power granted unto

unto them by the king, not only to set long tacks, and heritable fews, of the king's property lands, but also to grant charters to the heritors and udellers upon their udel lands, holding few of the crown for payment of an annual reddendo, formerly paid, called the *Seat* and *Wattle*, and for that end they sent over Alexander Douglas, of Spynie, their deputy, clothed with a full power and commission to set long tacks, and heritable fews of the king's property lands in Zetland and Orkney for payment of a certain few duty yearly; and also to grant charters to the heritors and udellers upon their udel lands, holding in few of the king as superior for the annual payment of a reddendo, called the *Seat* and *Wattle*. So all the heritors and fewers in Orkney and Zetland did take holdings from Spynie, as having full power in the manner above-mentioned for granting thereof, excepting such of the heritors as had formerly got charters of Confirmation from the crown, of which there was only in Zetland Sinclair of Brough. By granting of these charters, Spynie raised a very considerable sum of money of the heritors and fewers of Orkney and Zetland, as appears by a particular account thereof for Zetland, amounting to the sum of 15,000 pounds Scots, which was very heavy upon many of them. This Alexander Douglas, of Spynie, continued steward-depute and chamberlain of the crown-rents of Orkney and Zetland, until anno 1669, that the king was pleased to recall the grant made to the viscount of Grandison, and the act of annexation of the islands of Orkney and Zetland to the crown was again ratified by parliament, and the rents thereof were yearly paid in to the court of exchequer by the taxmen and chamberlans of the same, as following:

Anno 1670, Mr. George Scot, of Gibleftown, was made steward of Orkney and Zetland, and taxman of the crown rents

thereof, payable to the king's exchequer. He continued five years.

Anno 1675, captain Andrew Dick was made stewart of Orkney and Zetland, and taxman of the crown-rents thereof, accountable to the court of exchequer, who continued five years.

Anno 1681, Charles Murray, of Hadon, and Sir Robert Milne, of Barntown, became taxmen and stewarts of Orkney and Zetland, accomptable to the exchequer, and continued five years.

Anno 1686, William Craige, of Garfay, was made stewart of Orkney and Zetland, and taxman of the crown-rents thereof, payable to the exchequer, which he kept five years.

Anno 1691, Colonel Robert Elphinston, of Lapnefs, was made stewart and chamberlain of Orkney and Zetland, accomptable to the exchequer. He continued two years.

Anno 1693, Sir Alexander Brand, of Brandsfield, became stewart and taxman of the rents of Orkney and Zetland, payable to the exchequer, and continued four years.

Anno 1697, the honourable Mr. Robert Douglass, afterward earl of Morton, was made stewart and taxman of the crown-rents of Orkney and Zetland, and continued one year.

Anno 1698, Sir William Menzie, and Sir Samuel MacLallen, became stewarts and taxmen of the crown rents of these islands, accountable to the exchequer, and continued five years.

Anno 1703, the right honourable James Douglass, earl of Morton, got the crown-rents of Orkney and Zetland, together with the jurisdictions thereof, from queen Ann, he being accountable to her majesty's exchequer for these rents; but the queen having taken into consideration the great loss and damage that the antient and honourable family of Morton had sustained by their constant and firm adherence to the interest of the royal family,

family, especially during the civil wars, in the reign of king Charles I. and Cromwell's usurpation, whereby that once eminent and illustrious family of Morton was brought very low; her majesty was pleased by her gift and disposition, dated at her court at Kensington, upon the first day of February, anno 1706-7, to dissolve from the crown, and dispoise unto James earl of Morton, his heirs and successors, the earldom of Orkney and lordship of Zetland, with a charter thereupon, under the great seal, ratified and confirmed by consent of parliament. The said noble earl holding the said earldom and lordship in fee of the crown for the yearly payment of the sum of 500 pounds sterling money, in name of fee duty, the said earldom and lordship being redeemable by the crown for payment to the said noble earl, his heirs or successors, of the sum of 30,000 pounds sterling. By this gift and disposition, the earl of Morton is heritable steward, justiciary, sheriff, and bailiff, within the earldom of Orkney and lordship of Zetland, and is judge competent in all causes, civil and criminal, within that jurisdiction, excepting high-treason, reductions, improbations, redemptions, and suspensions, having all the powers competent to a lord of regality in Scotland, excepting that power which they have of directing of briefs, and serving them before themselves; but all briefs of land in the stewartry are raised from the court of chancery, and returned thereto. The earl of Morton has also power by his gift from the crown to grant charters of confirmation to the heritors and feuars of Orkney and Zetland to hold of the crown for payment of the usual fee duty; the said noble earl by his said gift is also patron of all the kirks in Orkney and Zetland.

The earl of Morton, as heritable steward and justiciar of Orkney and Zetland, appoints and commissions deputies there for administering of justice to the lieges, and punishing of malefactors, conform

conform to the laws and practice of Scotland. The stewart depute keeps and holds courts as often as there is occasion for them ; but he has two head courts in the year, one in the beginning of November, the other in the beginning of June, at which the whole heritors and fewers are obliged by their holdings to compear, being duly advertised thereof by the stewart clerk, or the baillie of the parish where they live ; and being called in the court three several days, and not compeering, nor any reason offered, for their not compearance, the absents are fined, each, in 40l. Scots money. The stewart clerk has his commission from the earl as stewart principal ; not but the stewart depute can employ his own clerk upon occasion, as he doth all other members of court needful ; but the stewart clerk only should record all court processes, and give out extracts. The stewart depute is also obliged to hold circuit courts in each parish once a year ; but the stewart depute of Zetland having no salary, save the emoluments of the court, which is seldom so much as pays the necessary members thereof, he cannot afford to be at the charge of travelling through the country, with such a retinue as all the members of court make out ; it being very expensive travelling through this country, and therefore these circuit courts are much laid aside.

There is also a bailliff in each parish, who holds his commission either of the stewart principal, or his depute, having power to hold courts within his bailliffrie, to make his own clerk, and other court members needful, and is judge in small matters, such as keeping good neighbourhood ; but can decern in no cause above 10l. Scots value, unless otherwise provided by his commission. The bailliff is obliged to keep a court-book, wherein all causes brought before his court are recorded ; and that book must be produced to the stewart depute when called for at his circuit courts. If the book is regularly kept, and nothing

amiss in it, then it is approven; if otherwise, the bailliff is enjoined by the steward depute to amend what is amiss, or to lose his commission. Under the baillie there are ten or twelve honest men of the parish called *Rancelmen*. These are judicially appointed and chosen in the bailliff court: the whole householders of the parish being present are asked, if they have any thing to object against such a man, why he should not be made a Rancelman; and no objection being made, he is entered into that office, and takes an oath to be faithful and diligent therein, and the Rancelman's instructions and power being read in open court, and recorded in the court-book, each Rancelman may have an extract thereof, if he please. These instructions are in the Appendix. The Rancelman has the power of a constable, to command the inhabitants to keep the peace, and to call for assistance; and to enter any house within the parish at all hours of the day or night, and search the house for stolen goods, which they call *ranuling*; and if they find any thing that the owner of the house cannot give a good account how he came by it, then they seize him directly, and carry him to the bailliff, who takes precognition of the cause; and if it infers the crime of theft, then the thief, with the *fang* or thing stolen found in his custody, is sent to the prison, and the steward depute acquainted thereof, who appoints a day for trying the thief according to law, and in case the bailliff finds that the representation of the rancelman will not amount to any proof of the crime of theft, he dismisseth the suspected thief, upon his good behaviour, with certification. There are in Zetland a great many municipal laws called *country acts*, and these municipal laws are the rule that the bailliffs chiefly act by. These country acts are in the Appendix, and are or should be read over twice in the year, at the bailliff-courts, when all the householders are present, at which

two courts, being Martinmas and Whitsunday courts, if any householder is wilfully absent, the bailliff fines the absent in forty shillings Scots each time they are absent, and can give no good reason for their absence. The rancelmen are to give up lists of the poor in the parish at the bailliff-court; and they are appointed to be quartered upon the parish for maintenance, and money is ordered them by the kirk session, out of the poor's-box, for buying of cloaths; so there are no beggars allowed to go from parish to parish, nor from house to house, otherways than they are appointed; and if they can work any thing, they are put to it in the houses where they are lodged. In some parishes of the country, these rancelmen, and other intelligent honest men of the parish, are erected of late into a society, for reformation of manners, and regulating of servants; Zetland being very much straitened for want of servants, masters for the most part being so poor, that they can give servants little encouragement; the instructions to which society are in the Appendix. There is also in each parish a *lawright man*, that is, an honest man, appointed judicially by the bailliff, as the rancelmen are. His business is to weigh and measure the rent-butter and oil; and also to judge of the quality thereof, and, if he finds it insufficient, to return it as not receivable. He is sworn to do justice, and keep just weights and measures.

The right honourable the earl of Morton is at present high admiral of Scotland, and was before vice-admiral of Orkney and Zetland, and appoints his deputies there, who have by their commission all the powers and privileges provided by the laws of Scotland to that judicatory, in all maritime affairs, of which there is little that falls under the cognisance of the admiral of Zetland, save that of wrecks, which sometimes happen, and in that particular the admiral of Zetland, as those in most other places,

places, is more under the direction of the country practice, than any statutory laws ; but the practice here is still so much controverted, that it is very difficult to find such precedents as can stand for a rule therein. However I shall give a short specimen of the most common and least controverted practice that has prevailed in Zetland for some time past, relating to wrecks or stranded ships ; that is, whenever a ship is forced ashore by bad weather, or otherways, and seems to be irrecoverable, the baillie of the parish, or proprietor of the ground where the wreck happens, does immediately acquaint the admiral depute thereof, who forthwith repairs to that place with his clerk and other court members ; and if the master, or any person belonging to the ship, is saved alive, he is allowed to put in a petition to the admiral, craving that the ship may be declared wreck, and that he may give order for salving, and securing all the wreck goods that can be saved, for behoof of the true owner or proprietor thereof ; which petition being considered by the admiral, having called an admiral court upon the place where the wreck is, and finding the ship irrecoverable, declares her wreck, and ordains the best anchor and cable, or value thereof, to belong to the physical of court for his majesty's interest, and appoints salvors for saving the whole wreck as far as possible, and securing the same for a reasonable salvage, to be decerned according to the trouble and charge in saving thereof, and the value of the subject saved according to justice ; and if the petitioner can instruct his title to the ship and cargo wrecked, by a vendition or other sufficient vouchers, the admiral decerns the whole subject saved, excepting the best anchor and cable to belong to him upon payment of a reasonable salvage, and the charges of the court ; and in case the petitioner cannot instruct his title to the ship and cargo, the admiral ordains the whole

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wreck salved to belong to the phiscal of the court for the king's interest, and his majesty's donators, or to the true proprietor, instructing his title thereto within term of law; and when all is salved, there is a just inventory thereof given up by the salvers upon oath; and the principal salver is ordained to deliver up the whole subject salved, conform to said inventory, upon payment of

in name of salvage, together with the best anchor and cable, to be delivered to the phiscal, with the sum of

as the necessary charges of the court. And if any person or persons shall intromet with any part of the wreck, without order from the admiral, or those employed by him as salvers, they are sued at the instance of the phiscal as imbezlers, and ordained to deliver what they intromitted with, and fined for their vitious and irregular intromissions; and the principal salver is obliged to secure all the wreck goods salved until carried off, or disposed upon by the proprietor.

And thus there is no place in the world where shipwreckt men are better used, nor the proprietors' interest more cared for than in Zetland.

The proprietor of the ground where the wreck falls always claims a share of the wreck, pleading the old country practice, which was, that all wrecks were divided into three shares, one thereof to the proprietor of the ground, one to the salver, and the other to the proprietor, if any appeared, which failing, to the king, with the best anchor and cable to the admiral. But the admiral court for several years past has not followed that practice, being thought exorbitant, and only allows the heritor any damage his ground may sustain, and some allowance for the use of it; which is thought by many a great hardship upon the heritors, and a cutting them out of their antient privilege. But for preventing of any clamours of that kind, the Admiral

does, and always should, make the proprietor of the ground the principal salvor, and beside reasonable salvage ordain him a premium for the use of his ground and personal trouble, where-with every reasonable man is satisfied.

If the wreck happens to be a derelict, and no person appears to claim it, the phisical of the court puts in a petition to the admiral, holding forth the state of the wreck, craving, that in regard there is no living person to claim the wreck, it may be declared an absolute wreck and derelict, and decerned to belong to the king and his majesty's donators, or to the true owner or proprietor, instructing his title within term of law, and that salvors may be appointed. The admiral being fully satisfied anent the truth of the petition, decerns according thereunto, and appoints the proprietor of the ground where the wreck is to be principal salvor, with power to employ as many salvors as is needful, who are all obliged to give up an account, upon oath, to the admiral, of what they saved; and are paid a reasonable salvage according to the trouble and charge they have been at, of which accounts are given in, and the proprietor of the ground is allowed a premium as above. And in case the wreck goods saved are in a perishing condition, and cannot be preserved, then the admiral orders public intimation to be made to the whole country by placarts put up in the most public places, intimating, that upon such a day, and place, such a parcel of wreck goods is to be sold by way of public roup, to the highest bidder, with the conditions of the roup; and the money is lodged in the clerk's hands; the court being answerable therefore to any having right to the same. I have formerly mentioned the country practice anent small whales driven ashore and killed by the country people, that is, they are equally divided into three shares; one thereof to the admiral, one

to the falvers, and one to the proprietor of the ground upon which they are driven ashore; and that practice still obtains without any alteration; and the minister or vicar of the parish claims the tythes of them, which has been much controverted, because all the boats employed in driving these whales pay a compound tythe to the vicar yearly, so much for each boat; and the catching of these whales being a part of their fishing, it is thought the vicar has no more title to the tythes of the whales, than he has to the tythe of the cod and ling they catch after the composition; and that he may as justly demand the one as the other. However, it commonly obtains; the minister of the parish being in most parishes vicar, he sticks close by it, and they are unwilling to contend with him. The Admiral still claims all direlicts cast in by the sea, and if of any value, still gets it upon the above footing of payment of salvage, and a premium to the proprietor of the ground it falls upon. But there is a sort of wreck called by the country people *ragba*, that is pieces of fir-wood, which has never been in any use, and is thought to drive from the north parts of Norway and America, of which there used long ago great quantities to drive about the country; but for many years past very little of that kind has been found. This sort of wreck the inhabitants have still thought the unquestionable property of the finder thereof, and they use it for repairing their houses, and should the admiral enquire after it, he could make nothing of it, and therefore it has not been noticed hitherto. The timber brought here from Norway is very dear, and the poor inhabitants are not able to buy it. So many of them depend upon that wreck timber, which they call *God-send*, and still think they have a better title to it, than any else have, and therewith they repair their small houses.

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There is here also a commissary, who is judge in all consistorial affairs. We have also justices of the peace, and commissioners of supply for imposing the land-tax.

In the town of Lerwick there is a custom-house, where all ships coming to the country and going out of it in the way of trade make entries, take out clearances, and pay the king's duty, as in any other part in Scotland, there being therein all the proper offices, such as a collector, a comptroller, surveyor, land-waiter, and searcher, with tide-waiters, who give constant attendance for dispatches; but they have very little business, and were it not for seeing foreign salt imported, and the fish cured therewith exported, they would have no business at all. The country is very poor, and no manner of consumption for goods to be imported that pay duty, and therefore there is little or nothing imported, save some trifles for carrying on the fishing trade, by which only the inhabitants chiefly subsist.

There have been excise-officers here also, but finding little or no business, they were removed; and for several years past the excise of Zetland has been farmed by a gentleman of this country, for about 40 or 50 pounds a year, and I am well assured he makes little by it, because there is not one brewer, nor a tanner, nor a tallow-chandler in Zetland. The few retailers of ale here brew the ale they retail themselves. The malt for the most part used here comes from Orkney and Scotland; as do also the leather and shoes used here for the most part. Most of the leather and skins tanned here is by the poor fishermen for cloaths and that mostly with the roots of tormentil, instead of bark, and the paying the leather duty for that is a very great hardship upon the poor people, and I am persuaded was never designed by the legislator. There are no candles sold here, and the few that are used are made by those that use them. There is very little
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malt made in Zetland, they having no corn to make it of; and I have all the reason in the world to believe, that, were the government rightly informed anent the exciseables of Zetland, they would see it not worth while to be enquired after.

C H A P. VI.

Of the antient and modern way of transmitting property in ZETLAND.

THE most ancient way how lands and heritage was transmitted to posterity was by a verbal deed called *Udell succession*, founded upon an old Norwegian law, called *St. Olla's law*, by which a man could no way dispose of or burden the lands he had by his father; neither had he any power to make a will contrary to the said law; but whatever children he had, male or female, they all succeeded equally to the father in his estate, heritable and moveable, and the youngest son had the father's dwelling-house, because the elder children were commonly *foris familiar* before the father's death, and the youngest son staid with him, and supported him in his old age, and thereby had no opportunity to provide himself in a settlement, and therefore was provided with his father's dwelling-house, which was also an inducement to make him more careful of his old father. By this way of succession most of the inhabitants were proprietors of the lands they possessed, and very few tenants amongst them; and this Udell succession continued with many of the small Udellers of Zetland, till the year 1664, that they took heritable tacks of their own udel lands from Spynie.

The first rights that are to be found upon lands in Zetland is that called a *Sbynd Bill*, and that only used by the most considerable heritors. *Sbynd* in the Danish language signifies a
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court, and *Bill* was a common name to any deed or writing made in court; so it may be rendered in English, a judicial right. The way how it was done was thus: A man having a mind to dispoſe his eſtate, invited the Fowd and 3 or 4 of the beſt men in the country to his houſe, where he had an entertainment provided for them, and being all convened, the Fowd kept a court, before which the heritor compeared, and did there judicially make his will, diſpoſing his eſtate heritable and moveable particularly mentioned, and divided to his children, reſerving his own life-rent of the whole, and a life-rent of a part to his wife, if ſhe ſurvived him, which will the clerk of court wrote, and being done was publicly read, all parties concerned being preſent, and if approven by the diſponer, it was ſigned by the Fowd and theſe 3 or 4 gentlemen that ſat with him as aſſeſſors, and all their ſeals were put to it, and being recorded in the court-books, the principal was delivered to the diſponer, who kept it till his death, and then all the heirs mentioned in the Shynd Bill entered to their reſpective portions contained therein, and were all equally chargeable for the defunct's debts, and funeral charges. And if there was no ſuch will made by the Udeller in his life-time, after his death his children, or neareſt of kin if he had no children, made application to the Fowd to divide the inheritance amongſt them, who appointed a day and place, ordaining all concerned to attend; and having called a court, he cauſed the heirs to give up a faithful inventory, upon oath, of the whole ſubject left by the heritor deceaſed, which he divided equally amongſt them, according to the Udell or St. Olla's law, and cauſed a Shynd bill to be written thereupon, which was ſigned, ſealed, and delivered to the heirs, and was as good as if made by the Udeller while he lived.

If any man was to make a purchase of land from an Udeller, with consent of his heirs, without which the purchase was not good, the property was conveyed to the purchaser by a Shynd bill, in the same manner as above-mentioned, with this addition, that the disponent did judicially acknowledge, that he had received the full value of the land disposed, and desired that his property therein might instantly be transferred to the purchaser, and his heirs; and the apparent heirs of the disponent being also present, consented to the sale; and the Shuynd bill being signed and sealed, was delivered by the Fowd to the disponent, who did judicially deliver it to the purchaser, with a benediction.

This Shynd bill was all the right necessary for securing any person in their property during the Danish government, and was continued as the only security upon lands in Zetland for many years after it was subject to the crown of Scotland, and it would have been very much the interest of Zetland, that no writing had ever been used in it, for the securing and transmitting of property, but being a more fair, better, and easier security than all the endless writing and long conveyances that now prevail. But when gentlemen from Scotland came to settle in Zetland, and found most of the arable ground therein parcelled out amongst the poor ancient inhabitants, by their Udell succession formerly described, excepting the lands purchased by the clergy, and brought in to the bishop, and some small estates belonging to gentlemen in Norway, or Denmark, mentioned before, these incomers found no great difficulty in purchasing of land from the poor simple inhabitants, especially these having some authority, as most of them had who came to settle here, and made estates, and whether their purchases were not always such as could admit of a judicial confirmation, or
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if they wanted to introduce the Scots laws and customs, or partly both, I know not ; but they began to lay aside the Shuynd bill, and to use dispositions and feifins, and thereupon followed that long train of conveyances, filled with all the clauses and quirks that the lawyer and noter could invent, for lengthening the writing, and making it so intricate that the true sense and meaning thereof might only be known to themselves ; so that it came to pass, in a short process of time, that, instead of the honest, easy, and simple Shuynd bill, Zetland was stocked with rights and conveyances upon the lands, sufficient to find the lawyers and noters as much business as any place of its value in Scotland, whereby the antient simple Udellers were turned out of their old inheritances, and obliged to improve that ground for others that they had foolishly neglected to do for themselves.

But the heritors of Zetland being acquainted by the gentlemen of the long robe that all their private dispositions and feifins upon their lands were only base investments, and so no good title, and therefore they must take charters holding of the crown, and public investments thereupon, otherways they could not maintain their property, and being thus alarmed, a favourable opportunity presented for that purpose. In anno 1664, Alexander Douglass of Spynie came over with a full power and commission from the king, for receiving of resignations, and granting charters to the heritors holding their lands in fee of the crown as noticed before ; so all the heritors of Zetland, who had not formerly taken confirmations, did take charters from Spynie upon their lands. But the composition money paid for the charters, and the great few duties payable yearly out of the lands, did in a short time thereafter sink many of the heritors so far in debt, that they were obliged to sell the lands for pay-

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ment thereof; for indeed the trifling land estates of Zetland, and the very inconsiderable value of the lands, together with the great few duties paid yearly out of them, renders the heritors of Zetland utterly incapable of being at the charge of these public securities and frequent confirmations required by law, as is practised in other places, where the subject is capable of bearing the charge, which Zetland is not, for the causes foresaid, and therefore has been laid aside since the granting of Spynie charters.

The late noble and worthy Robert earl of Morton, who knew the affairs of Zetland perfectly well, and was a very judicious thinking nobleman, finding that the great diminution of the crown rents of Zetland, yearly payable to his lordship, was chiefly owing to the old country practice in these two following particulars; as first, that the chamberlain of these rents is obliged to call for, and receive the rents and few duties payable yearly out of the heritors lands from every individual tenant thereof, and that in butter, oil, and money, which occasions a vast deal of trouble and expence to him in travelling at least once a year through the whole country, receiving the butter and oil, all in small parcels, packing and transporting thereof to ports for export, and having an account to keep with every land labourer within the country of Zetland, and many of them proving insolvent, and the heritor of the land no way answerable for the tenant's deficiency, which makes yearly a considerable discount of the crown rents.

2d. When the Udel or fewd lands are ley, i. e. not laboured, nor a tenant upon them, these ley lands pay no scat-watle, nor corn-tythe, although a rental tythe; so the chamberlain gets those ley lands yearly attested by the bailiff of each parish, which he takes credit for in his accompts. For preventing of which two
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great inconveniencies to the crown-rents, the said noble earl offered to give all the heritors of Zetland heritable charters upon their lands, holding as Spynie's charters do few of the crown gratis, free of any charge, providing they would for the future pay the few duties yearly, without any discount, ley or laboured, as contained in the few charter. But that the heritors would not go into, choosing rather to stick by their ancient use of payment, that is, when the land is laboured, the labourer thereof to be charged with the superior duty, and when by the heritor was not chargeable with the scat, watle, and corntiend, but the few duties of the fewed crown lands, is yearly paid, whether the land is ley or laboured, but whereby it pays no scat, nor corntiend; so all the lands of Zetland stand upon the former footing, and the ley feat is still a controverted point. The earl of Morton, as having right to the crown rents of Zetland, pleads that the heritors of Zetland holding their lands in few of the crown, the scat is the annual reddendo, or few duty, the punctual payment whereof is the common alternative upon which all few charters subsist, and in case of non-payment of the reddendo, the few falls. Whereunto it is answered by the heritors, that by Spynie's charter they are only obliged to pay the scat-watle, &c. conform to the rental and former use of payment thereof, which is when the land is laboured the labourer is chargeable with the crown-rent, but the heritor no way chargeable therewith, ley or laboured, unless he labour it himself, and the chamberlain is left to find the labourers, or lose the crown rent; and this has been the use and custom of payment in Zetland past the memory of man. To which it was replied by the earl, that these words *used* and *wont* import no more in any charter in Scotland than the places, terms and species, *used* and *wont*, and not any diminution of the reddendo, and that it is un-

reasonable to suppose, that there should be a power left in the hands of the fewer to pay the few duty, or not, as he pleased, which he may do by casting the lands ley, or labouring them, as he had a mind, and thereby rendering the crown rent most precarious and uncertain : whereunto it is again answered by the heritors, that whatever these words, *used* and *wont*, may import in any charter in Scotland, yet in the charters granted by Spynie to them, the words *used* and *wont* imply the use of payment, as well as the places and terms of payment, and rather the former, because the term of payment is mentioned in the charter, but not the particular reddendo payable, but is only said conform to the rental, and use of payment; and further, that what they assert has been the common use of payment always is evident, because it is certain the ley scat has never been paid, nor the heritor ever charged therewith, since the granting of Spynie charters, which is now 70 years, nor ever can be for granting of these charters, that can be made appear, and it is not presumable, that any man would act such a foolish part, as wilfully to lose four shillings of his own, on purpose that another should lose sixpence, which would be the case, should the heritors cast their land ley, that the crown rent might not be paid. These are the principal arguments on both sides of the question, which were never yet determined; and the heritors are still of opinion, that the constant and long continued use of payment is sufficient to support their cause. But, whatever may be in that, I am persuaded that an accommodation of that affair betwixt the earl of Morton and the heritors of Zetland might very much tend to the interest of both, and I believe some of the most considerable and judicious heritors would go into the foresaid proposals made by the late noble earl, with little alteration, providing the butter and oil were kept at the standard price

price they were at when Spynie's charters were granted, which were four shillings the *luped* of butter, and fixpence the *can* of oil, which is more than those commodities have yielded at any market for several years bygone. The price now charged upon the heritors and fewers for the crown-rent butter, in case they fail in payment of the butter, is 4s. 10d. per luped. The way how that price was introduced for the butter in Zetland is this; the Hamburgers and Bremeners trading here always bought the butter at a rixdollar the luped: now a rixdollar at the time of granting Spynie's charters was only four shillings of our money, or forty-eight shillings Scots, and continued so for several years thereafter, and then that foreign coin was raised to four shillings and ten pence per dollar, at which rate it stood for many years, and was at last brought down to four shillings, or four shillings and two pence, at which it still continues; but the butter stands at four shillings and ten pence, which is unreasonable, when the price of it abroad is less than ever formerly. The oil also came to rise the same way, from six pence to one shilling the can; by giving a good price some years, and then falling again below that value, makes the tenants take care to pay it up in kind, which is a loss to the rents; whereas, were the butter and oil brought to the old standard, the rents would be far more effectually paid, and consequently would be more for the earl's interest.

C H A P. VII.

Of the several Denominations of the Crown rent of Zetland; their original, and how paid.

THE first and only rent paid to the crown out of the lands of Zetland, was that called the *Scatt*. The whole island being divided into parishes, each parish is again subdivided into *scatalds*, marked out by *march stones* and *meitbes*, dividing the scatalds from each other. This scatald is the pasture ground belonging to the arable land adjacent thereto, called a *room* or *town*, the name whereof is written in the rental, with the scat yearly payable thereout in butter, fish, oil, and a sort of very coarse cloth, called *wadmill*, marked in the old rentals *lispound* and *marks* of butter, *shillings* and *cuttels* of wadmill, and *butts* and *cans* of oil. A lispound is 28 lb. weight, and in each lispound is 24 marks; a shilling of wadmill is 6 cuttals or *curtele*, i. e. *shortell*, a measure containing 24 *canches* in length; a butt of oil is 4 cans, each a Scots quart, and about a muchlin more, on account of the oil sticking by the vessel. The wadmill rent being converted to money, the cuttel is a groat, six whereof being a shilling, as marked in the rental, that is a Zealand *sullen*, which is 24 shillings Scots, or 2 shillings. The term of payment of the scat is Martinmas in the subsequent year. This scat, as I said before, was the only land rent payable to the crown out of Zetland at first, but in process of time some of the arable land, which was at first the property of the improver, came also to the crown by forfeitures and donations; however, there seems to be very little of that kind before Robert Stewart earl of Orkney came to be proprietor thereof; for before his accession thereto, it

it is said, the crown rent of Zetland was farmed at 500 marks Scots a year; but after the forfeiture of Patrick earl of Orkney, the whole acquisition made by him and his father fell to the crown, together with all the lands and tythes belonging to the bishoprick, of all which, with the impositions laid upon the country by the said earls of Orkney, there was a rental made out, which rental is recorded in the king's court of exchequer, called the exchequer rental, and is the standard of the crown rents of Zetland still; at which time also king James the Sixth having transacted with James Law, bishop of Orkney, as noticed before, he gave him lands in Orkney, equivalent to the bishop's rents of Zetland; since which time the bishop of Orkney and Zetland has had no rents paid him out of Zetland; by all which means the crown rents of Zetland became very considerable in respect of what it was before those wicked men Robert and Patrick, earls of Orkney, had by oppression and arbitrary power raised these rents to such a height upon the ruin of many of the poor inhabitants, and perpetual burden of the present heritors.

2d. Species of crown rent is *land meals*, that is, the rents payable out of the crown lands, of which there are two sorts; as first, those called *property lands*, which are set by the chamberlain to tenants, who pay him the rent thereof, conform to the rental, and when ley, it pays no rent; the 2d is that part of the crown lands fewed out by Spynie, the few duties whereof the fewer is obliged to pay yearly; whether the land is ley or laboured, the rent of both is paid in butter and wadmill, as particularly set down in the rental; the butter payable at Lammafs, and the wadmill at Martinmafs, in the subsequent year.

3d. Species of rent is that called *Grassums*, introduced thus. When the chamberlain set a tack or lease of the property lands to
a tenant

a tenant he caused him to pay a *graffum*, or entry, the tack being commonly for 3 years : the tenant paid of *graffum* upon receiving the tack, two shillings for each mark land ; and when the three years were out, if he had a mind to continue, the tack was again renewed for three years for payment of the like *graffum* ; but in process of time the tenant not paying the *graffum* at his entry to the land, it came to be an annual payment of eight shillings Scots upon the mark land. This *graffum* is all the profit that the fewer of the crown lands has, the few duty being the full butter and wadmill rent contained in the rental ; but the best of the crown lands being fewed, little of the property lands now pays *graffums*, being bad, and much of it still ley, and some of it set for half the rent.

4th. Is that rent called *Umboth duty*, that is the bishop's rents of Zetland, for which, as formerly observed, the bishop has the equivalent rent in Orkney. These rents are half of the corn tythes of each parish in Zetland, excepting the united parishes of Tingwall, Whitnesh, and Wisdale, which was an archdenrie, as noticed before. There are also in each parish some lands belonging to these *Umboths*, called *Bishops lands*, or *Umboth lands*. The *Umboth* tythes are for the most part a rental tythe, payable in butter and oil, and in some places money, or the *ipso corpore*. *Umboth* is a Danish word, signifying to *change about* ; the reason of which name is, that the bishop having the one half of the corn tythe of the parish, and the priest or minister of the parish the other half, the bishop gave order, that in case the priest might choose the better half (they being commonly greedy) that it should go about so, as that the half which the bishop had one year the priest should have the next year, and continued so till brought into the crown rental ; since which time they go not about, but still retain that name. All these *Umboth* rents were
also

also in the year 1664 diiponed by Spynie to severalls in few, for the yearly payment of a certain few duty yearly in money for each parish; excepting the parishes of Unst and Feltor, which no man would few because much of the lands there are still ley, and ley-lands pays no sort of rent, but the few duty must have been paid yearly, so the umboth rents of those parishes are still contained in the crown rental, and are collected by the chamberlain, as the scat is all payable in butter and oil. All these crown rents foresaid are payable in the subsequest year, which often proves detrimental to the rents, because the tenant has the first year free of rent; but when he goes out of the land, he has two years rent to pay for the last year's crops, and the tenant becoming insolvent, as they frequently do, the rent is lost in whole or in part.

5. Species of crown rent is that called the *walle rent*, which is a corrupt contraction of two Danish words; viz. *nuit laugb*, i. e. a night laying, the origin whereof is said to be, that in time of popery the bishop of Orkney and Zetland sent over a venerable matron, whom he recommended as a person of such extraordinary sanctity, that upon her lying but one night in every parish in the country, they would thereafter be blessed with great plenty of corn and fishing, providing she was rewarded with some small annual pension during her life, which the simple superstitious inhabitants easily believed; and she having travelled through the country, and lodged at least a night in every parish, returned to Orkney, with the grant of a small sum to be paid her yearly out of every parish in Zetland during her life, for her prayers in their behalf, and out of respect to the bishop's desire in her favour. How long this matron lived I know not; but the contribution for her was yearly collected for her by the bishop's chamberlain, and for

the right proportioning the quota of each parish they laid so much upon each mark land in the parish. But when Robert Stewart earl of Orkney came to be proprietor of the bishop's rents of Orkney and Zetland, finding there had formerly been such a payment, he put it to his rental, and caused the inhabitants to pay it yearly, and it has ever since been paid under the denomination of the wall rent, and amounts to about fifty pounds sterling a year. It is payable at Lammafs in the present year in money; but it would seem, that some of the heritors of Zetland, less superstitious and wiser than the rest, would never pay their quotas thereof, so there are several rouns in each parish where that rent is retained as never in use of payment.

6th and last species of payment in the crown rental is that called the *ox and sheep silver*. This is said to be a compliment given to the earl of Bothwell, mentioned before, when he was in Zetland, of an ox and 12 sheep out of every parish in the country for the maintenance of his family; but seems rather to be a tax imposed upon the country by Robert and Patric Stewarts earls of Orkney; for they were the first that made it an annual payment, and put it in their rental, and it is proportioned upon the mark lands in each parish, amounting yearly to about twenty pounds sterling; but there are several relations of it, as of the wattle, never in use of payment; it is payable at Lammafs in the present year in money. This is the denomination under which the crown rents of Zetland are yearly paid, and what the whole may annually amount to can be no other ways certainly computed than as it stands in the rental thereof, being most of it paid in butter and oil, so these rents are yearly more or less, according to the prices these commodities give, and as the lands are improven; but there is always a considerable discount upon the rental charge.

The

The land rent payable yearly to the heritors and fewers is only that called *land meals*, formerly paid in butter and wad-mill, now paid in butter and money, in the present year, the butter at Lammafs, and the money at Martinmafs, each mark land paying fo much; but thefe mark lands are not alike in the rent; but according to what pennies the mark, the land is, as that called twelve *pennie land*, which is the deareft, pays the marks of butter, 16 fhillings Scots of Wad-mill, and 8 fhillings faid money of graffums; 10 pennie land pays each mark 14 mark and $\frac{2}{3}$ of a mark of butter, 14 fhillings 8 pennies of wad-mill, and 8 fhillings of graffums; 9 pennie land pays 12 marks of butter, 12 fhillings of wad-mill and 8 fhillings of graffums; 8 pennie land pays 10 marks and $\frac{2}{3}$ of a mark of butter, 10 fhillings 8 pennies of wad-mill, and 8 fhillings of graffums; 7 pennie land pays 9 marks $\frac{1}{3}$ of a mark of butter, nine fhillings and 4 pennies of wad-mill, and 8 fhillings of graffums; 6 pennie land pays 8 marks of butter, and 8 fhillings of wad-mill, and 8 fhillings of graffums; and 4 penny land, which is the loweft, pays 6 marks of butter, 6 fhilling of wad-mill, and 8 fhillings of graffums; and fome lands pay no graffums, and others nothing but the butter debt; the crown lands pay after the fame manner, but all in the fubfequent year as noticed before. The lands in Zetland, for the moft part, are not very improveable, and the landlords generally take the wrong way for encouraging their tenants to improve the lands; for it is the common praftice with many of them, if they fee the tenant thriving, and by his induftry becoming richer than his neighbour, he muft be warned to remove, unlefs he will pay more rent yearly, or a large entry for a fhort tack, and when that tack is out he is again where he was, and muft pay a new entry or remove. This makes many tenants carelefs, nay even averfe

to improve; whereas, were those tenants that are frugal and industrious encouraged by long tacks, and entitled to the benefit of their own improvement, during the improver's life, without any augmentation of the rent, the landlord after the improver's death might set that land to another for a greater rent than it formerly paid, on account of the improvement, and give the next tenant the same encouragement to improve, for it is not to be expected, that any tenant should be so self-denied as to labour heartily for the interest of the landlord unless he find his own account in it.

There are no doubt abundance of trifling curiosities and old fabulous traditions in Zetland, that some would have thought worth the relating; but neither my genius, nor intended brevity, will permit me to enter upon that subject.

A P P E N D I X.

*Spynic's CHARTER granted to the Heritors of ZETLAND upon
their Udell lands.*

TO all and fundrie whom it effeirs, to whose knowledge this present charter shall come, ALEXANDER DOUGLAS, of Spynic, factor commissioner, principal chamberlain and trustee of the earldom of Orkney, and lordship of Zetland, greeting in GOD everlasting; for as mickle as our sovereign lord the king's majesty be his charter of donation under the great seal of Scotland, of the date at Whitehall, the twenty-third day of April, one thousand six hundred and sixty-two years, hath given, granted, disposed, and confirmed, to annoble lord George viscount of Grandison, his heirs, assigns, and successors, under reversion therein mentioned, all and heall the said earldom of Orkney and lordship of Zetland, lying within the said kingdom of Scotland, with all and fundry lordships, baronies, isles, castles, courts, fortalices, manor places, houses, biggings, and others particularly therein specified, together with the lands called Udell-lands, lying within the said earldom and lordship of Spynick, with power to the said noble viscount, his heirs and assigns, foresaid, to sell and dispone, in heritable few farm, any part of the said earldom and lordships, udell-lands, and others foresaid belonging there o, to be holden of the said George viscount of Grandison, his said heirs, successors, and assigns, during the not redemption of the said earldom and lordship; and after the lawful redemption thereof, when it shall happen, of our sovereign lord the king's majesty, and his majesty's heirs and successors, in few farm and heritage, heritable and inredeemable forever, according to the present rental, and without diminution thereof, as the said charter of donation, containing therein divers and fundry other powers, privileges, immunities, clauses, and conditions, with precept, and instrument of feason following thereupon, at more length bears: Like as the said George viscount of Grandison be his commission of the date the
said

said 23d day of April, and year aforesaid, did nominate and appoint John earl of Middelton, William duke of Hamilton, Sir Andrew Ramsay of Abbots-hall, knight, and William earl of Morton, lord Dalkeith and Aberdour, to be his trustees for managing the affairs of the said earldom and lordship; and hath given them, or any quorum of them, or their commissioner in their names, all full power and commission thereby for managing the affairs of the same, as the said noble viscount could do therein himself if he were personally present, as the said commission of the date aforesaid at more length purports; and siklike, the said John earl of Middelton, and remnant trustees above designed by their factorie and commission of the date the 7th day of February, 1663 years last by past, having given full power and commission to me Alexander Douglas of Spynic, to be their factor commissioner, principal chamberlain, and baillie of the said earldom and lordship, and to set out in few farm the lands, isles, udell-lands, teynd, and others, foresaid belonging thereto, and lying within the same, for augmentation of the rental, without diminution thereof as said is, as also to enter and receive fewers, vassals, and tenants of the said lands, and to uplift and receive from them their few duties, composition, and other casualties due therefore, to compound, transact, and agree there anent, and to do every other thing there anent, that the said noble trustees, or their said constituent could do therein themselves, if they were personally present to act therein, as in the said factory and commission of the date above written at more length is contained. And now I understanding, and being perfectly informed that A. B. by himself, his authors and predecessors, and their tenants of the lands after specified, has right and possession of all and sundry Udell-lands, particularly under-written, of whose right and possession of all and sundry udell-lands aforesaid I being no ways willing to prejudge him, but rather to grant unto him, his heirs, and assignies, a more perfect right and security of the same: Therefore, and for augmentation of the rental thereof, as also for a certain sum of money paid and delivered unto me by the said A. B. whereof I grant the receipt, and discharge him thereof, renouncing all exception of the law that can be proponed to the contrary: To have given, granted in heritable and perpetual few farm, set, and let, and by this my present charter confirmed: Like as I by the tenor hereof give, grant, in heritable few farm, set, and let, and by this my present charter, confirm to the said A. B. his heirs and assignies, whatsoever heritable, all and sundry his udell-lands after mentioned possessed by him, and his authors and tenants in their name: All and heall mark land pennys the mark in the room of &c. with the houses, biggings, yeards, tofts, crofts, town malls, queys, quey lands, ulbracks, neffes, isles, holms, skerries, annexes, conexies, parts, pendrils, and heall pertinents whatsoever, of all and sundry the said lands, all lying within the isles and parishes respective foresaid lordship of Zetland, and sherrifdom of Orkney and Zetland, to be held in, and to be had, all and heall the said lands, with the pertinents lying, as said is, by the said A. B. his heirs and assignies whatsoever, of the said noble lord George viscount of Grandison, his heirs, assigns, and successors, during the not redemption of the said earldom and lordship, and after their lawfull redemption thereof, when it shall happen, of our sovereign lord the king's majesty, and his majesty's heirs and successors,

cessors, in few ferm and heritage for ever, by all right mithes, and marches, as the same lies in length and breadth, in houses, biggings, yeards, tofts, crofts, quoys, quoy lands, hills, dales, neffes, holms, limestone quarries, mortar, clay, fewel, feal, divots, thack heather, peats, peat moss, meadows grafs, and with power to make u bracks on fetts, foulds, garrihs, ways, water stanks, burns, stripes, fowling, fishing in fresh water, and salt waters, tany waire out freedom, in freedom, pastour, leafour, and with common pasture, freeish, and entry, and with all and sundry other freedoms, commodities, liberties, privileges, profits, easements, and righteous pertinents whatsomever, as well not named as named, under the earth as above the same, far or near, from the highest in the hill to the lowest in the ebb, pertaining to the said lands, and others above specified, with their pertinents, or that shall righteously be known to pertain and belong thereto in any maner of way, freely, quietly, wholly, well, and in peace, but revocation, contradiction, or again calling whratsoever: Paying therefore yearly the said A. B. his heirs and successors, or assignies foresaid to the said noble lord George viscount of Grandison, his heirs, assignies, and successors, their factors or chamberlains, in their names, and that during the not redemption of the said earldom and lordship; and after the lawful redemption thereof, whenever the same shall happen, to our said sovereign lord the king's majesty, and his majesty's heirs and successors, their taxmen, factors, chamberlains, and others, in their names, conform to use and wont the scat and wattle duties in use to be paid forth of the said lands, conform to the rental at terms of payment and parts accustomed in name of few farm, together with the sum of three shillings four pennies Scots money, at the first of Martinmas yearly, in augmentation of the rental thereof, more than ever the same lands paid before; together also with the sum of 10 marks money foresaid, at the entry of every heir to the said lands, in name of doubling the few farm duty, by and autour the same few farm duty allenerly, and the said A. B. and his foresaids, giving suit and presence to an head court to be holden by the said noble viscount and his foresaids, or others, having power from his majesty after the redemption foresaid, and their deputes in their names; at Scalloway castle yearly, with this special provision always, like as it is provided by exprefs condition hereof, in case it shall happen the said A. B. his heirs and assignies foresaid to fail in making good and thankful payment of the few ferm duties of the foresaid lands and augmentation thereof above written, so that three years run, in the fourth together unpaid, this present charter shall be null and of none avail, for a strength or effect as if the same had never been made. And I for sueth, the said Alexander Douglass, of Spynic, my heirs and successors, all and sundry the forenamed lands; viz. All and heall the said marks of land, in &c. with the houses, biggings, yeards, tofts, crofts, town-malls, quoys, quoylands, utbracks, holms, skerries, neffes, annexes, connexes, parts, pendrills, and apertinents, of all and sundry the said lands lying within the foresaid islands, parishes, respective lordship, and sheriffdom above written, to the said A. B. his heirs and assignies whatsomever heritable, from all perils, dangers, and inconveniencies whatsomever, proceeding of my own proper fact and deed allenerly, in and by all things in form and effect as is above written shall warrant, acquit,

acquit, and defend, autour to my lovets and ilk any of yours, &c. to the said A. B. or his certain procutor, or attorney, bearer hereof, by deliverance of earth and ston of the ground of the said mark land, in I discern and ordain to stand and be a sufficient season in all time coming, for all the lands and others above-written, with the pertinents, notwithstanding the same lies not contiguous together, but in divers different places, parishes, and isles, where anent I have dispenced, and hereby dispences with for ever, conform to the tenor of this above written charter, and this in no ways you leave undone, &c. In witness whereof, to this present charter, containing precept of season, in the end thereof, written by subscribed with my hand, my seal is appended at the day of 1664, before these witnesses, A. D.

Spynic's Few Charter granted to the fewers of the Crown-land in Zetland.

TO all and fundry whom it effeirs, to whose knowledge this present charter shall come. Alexander Douglas of Spynic, factor commissioner, principal chamberlain, and trustee of the earldom of Orkney and lordship of Zetland, greeting in God everlasting, for so much as our sovereign lord the king's majesty, by his charter of donation under the great seal of Scotland, of the date at Whitehall, the 23d day of April, 1662, hath given, granted, desponed, and confirmed, to a noble lord George viscount of Grandison, his heirs, assignies, and successors, under reversion therein mentioned, all and heall the said earldom of Orkney and lordship of Zetland, lying within the said kingdom of Scotland, with all and fundry lordships, baronies, isles, castles, courts, fortalices, manor places, houses, biggings, and others particularly therein specified, together with the lands called Udell-lands, lying within the said earldom and lordship, with power to the said noble viscount, his heirs and assignies foresaid, to sell and dispone in heritable and perpetual few farm any part of the said earldom and lordships, udell-lands, and others foresaid belonging thereto, to be holden of the said George viscount of Grandison, his said heirs, successors, and assignies, during the not redemption of the said earldom and lordship, and after the lawful redemption thereof, when it shall happen, of our sovereign lord the king's majesty, and his majesty's heirs and successors, in few farm and heritage, heritable and irredeemable for ever, according to the present rental, and without diminution thereof, as the said charter of donation, containing thereuntil divers and fundry other powers, privileges, immunities, clauses, and conditions, with precept and instrument of season following thereupon, at more length bears. Like as the said George viscount of Grandison, by his commission of the date the said 23d day of April and year foresaid, did nominate and appoint John earl of Middletown, William duke of Hamilton, Sir Andrew Ramsay of Abbots-hill, knight, and William earl of Morton, lord Dalkeith and Aberdour, to be his trustee for managing the affairs of the said earldom and lordship, and hath given them, or any quorum of them, or their commissioner in their names, as

full power and commission thereby for managing the affairs of the same, as the said noble viscount could do therein himself if he were personally present, as the said commission of the date foresaid at more length proports: And sike like the said John earl of Middletown, William duke of Hamilton, and remnant, trustees above, designed by their factory and commission of the date of the 20th of February, 1665, last by pass, having given full power and commission to me the said Alexander Douglas, of Spynie, to be their factor commissioner, principal chamberlain, and baillie of the said earldom and lordship, and to set out in few farm the land, isles, udell-lands, tiends, and others belonging thereto, and lying within the same, for augmentation of the rental, without diminution thereof as said, as also to enter and receive fewers, vassalls, and tenants of the said lands, and to uplift and receive from them, their few duties, compositions, and other casualties due therefrom, to compound, transact, and agree there anent, and to do every other thing there anent, that the said noble trustees, or their constituent, could do therein themselves, if they were personally present to act therein, as in the said factory and commission of the date above written at more length is contained. And now I understanding perfectly, that the end and cause of setting out of lands, and others above written, in few farm, is for the better improvement thereof, and that conform to the laudable laws of the realm made anent planting and policy, the same may be the better decernd and brought through the pains and industry of frugal and virtuous people to the more fertility, and knowing likewise that the lands and others after specified were never set in few farm of before, therefore, and for augmentation of the rental thereof, as also for a certain sum of money paid and delivered to me by A. B. wherewith I hold me well content, satisfied and paid, and discharge him of the same, renouncing all exceptions of the law that can be proponed, or alledged in the contrary, to have given, granted in heritable and perpetual few farm set and letten; and by this my present charter confirm, like as I by the tenor hereof, give, grant, inheritable and perpetual few farm, set and let, and be this my present charter, conform to the said A. B. his heirs and assignies whatsoever heritable, all and heall markland pennys the mark in the room of &c. with the houses, biggings, yeards, holms, nesses, tofts, crofts, town molls, quoys, quoylands, utbracks, annexes, connexes, and pertinants whatsoever pertaining thereto, lying within the parish of lordship of Zetland, and sherriffdom of Orkney and Zetland, to be holden and to be had all and heall the said markland in &c. with the houses, biggings, and pertinants thereto belonging, lying as is above mentioned, to the said A. B. and his heirs and assignies whatsoever, of the said George viscount of Grandison, his heirs and successors, during the not redemption of the said earldom and lordship, and after the lawful redemption thereof, when it shall happen, of our sovereign lord the king's majesty, his highnesses heirs and successors, in few farm fee and heritage for ever, be all right marches, and divided as the same lies in length and breadth, the houses, biggings, yeards, holms, nesses, tofts, crofts, town molls, quoys, quoy lands, meadows, mosses, muirs, ways, waters, flanks, locks, burns, itripes, hills, dales, fowling, fishing in fresh water and salt, peats, peat, moss, I. cunings,

cunings, cuningyers, doves, dovecots, links, limestone quarry, grafs, wair, out freedom, in freedom, pastour, leifure, with common pasture freeish and entrie, and with all and sundry commodities, privileges, easements, profits, and righteous pertinents, as well not named as named, under the earth as above, far as near pertaining, or that justly shall be known to pertain and belong to the same lands, and others above specified, in any manner of way, freely, quietly, well, and in peace; but any impediment, obstacle, contradiction, or again calling whatsoever, paying therefore yearly the said A. B. his said heirs and assignies, to the said George viscount of Grandison, his heirs, assignies, and successors, factors, chamberlains, servitors, and others in their name, during the not redemption of the said earldom and lordship, and after the lawful redemption thereof, when it shall happen, to our said sovereign lord the king's majesty, his highnesses's heirs and successors, their factors, chamberlains, and others, in their name, the land mealls and duties justly adibeted, and yearly payable forth therewith, conform to the rental; viz. the number and quantity of lifpounds of butter, or 48 shillings Scots for each lifpound of butter, with the sum of pounds Scots money, as for the land mailes of the heall above named lands, with the pertinents, together also with the scat and wattle, and other accustomed duties likeways due payable forth of the same, conform to the rental at the terms of payment and ports used and wont, all in name of few farm, and other duties liable and due to be performed by the said A. B. and his foresaids, as use is together, also with the sum of four shillings Scots money, at the term of Martinmas, in augmentation of the rental thereof, more than ever the same paid before, and also giving of suit and prefence to the three head courts, to be held in the said noble viscount and his foresaids, or their deputes, or others, having power from his majesty, after the redemption foresaid, at the town of Scallaway banks yearly, and to all other courts to be holden by them, when they shall be lawfully warned thereto, and the heirs of the said A. B. paying to the said noble viscount and his foresaids, during the not redemption as above specified, the sum of money foresaid, the first year of their entry to the said lands, and other above specified in name of doubling the said few farm duties, and that by and attilour the same few farm duties, and other above written, for all other burdens, actions, demands, or service secullor, that of the same lands, and others, with the pertinents thereof above expressed in any ways, may be asked or required: Providing always, like as it is hereby especially provided, that in case it shall happen the said A. B. and his foresaids, do fail in making good and thankful payment of the said few farm duty yearly, with the scat and wattle, and augmentation above-mentioned, so that it happen two years to run, and the third unpaid then, and in that case this present few farm charter shall be null and of none avail, force, strength, nor effect, as if the same had never been made nor granted. And I forthwith, the said Alexander Douglass, of Spynic, my heirs and successors, all and heall the said mark land, in &c. with the heall, houses, biggings, yeards, holms, neffes, parts, pendicles, and pertinents thereof whatsoever, lying in the said parishes within the said lordship of Zetland, to the said A. B. his heirs and assignies foresaid, from all perils, dangers, and inconveniences

conveniences whatfomever, proceeding of my own proper fact and deed alternately, in all and by all things, in form and effect, as is above specified shall warrant, acquit, and defend: Autour, To my lovits _____ and every one of you, my baillies, in that part conjunctly and severally constitute, greeting, it is my will and I charge you, that incontinant after sight hereof ye pass, exhibit, give, and deliver heritable state and season, actual, real, and corporal possession of all and heall the said _____ marks of land in _____ &c. with the houses, biggings, &c. and this in no ways, &c. In witness whereof to this my present charter, containing precept of season in the end thereof. Written by, &c. and subscribed with my hand, my seal being apendit at _____ the _____ day of _____ 1664, before these witnesses. A. D.

*The Queen's Gift of the Islands of ORKNEY and ZETLAND to the
Right Honourable the Earl of MORTON.*

OUR Sovereign Lady, considering, that forasmuch as her majesty and the estates of parliament, by their act and disposition, of the date the 12th day of February instant, and for the good and weighty causes therein mentioned, for all right or title any way competent to the crown or principality of Scotland, have dissolved and thereby dissolve, from the crown and patrimony thereof, all and hail the earldom of Orkney and lordship of Zetland, with all and sundry isles, holms, burghs, udell-lands, and other lands whatfomever, of what name and by what designation the same are or may be known, lying within the sheriffdom or stewartrie of Orkney, and pertaining to the said earldom and lordship, and by the acts of annexation passed in the parliaments held in the years 1612 and 1669, pertaining to her Majesty, or by whatever other right or title, together with all castles, towers, fortalices, milns, multers, fishings, arents, reversions, patronages of kirks, chaplanries, alterages or prebendries, teinds, parsonage or vicarage, with the office of justiciary, sheriffship, stewardship, bailliary, and foundary, with the casualties and privileges thereto belonging, together with all other parts, pendicles, and pertinents, casualties, jurisdictions, privileges, and others whatfomever belonging to the same, to the effect her Majesty might dispoise to her Majesty's right, trustee, and well-beloved cousin and counsellor James earl of Morton, his heirs and successors whatfomever, the said earldom, lordship, isles, lands, milns, offices, jurisdictions, casualties, and other above-mentioned, or any other part thereof, and that in such manner as may most effectually preserve the same to the said earl and his forefairs, for support of the family of Morton, redeemable by her Majesty, and her royal successors, on payment of 30,000 pounds sterling, extending to 36,000 pounds Scots money; and that in due and competent form, to be holden all and sundry the foresaid earldom, lordship, isles, lands, milns, burghs, tiends, patronage, offices, jurisdictions, casualties, and others above written, with the pertinents, to the said James earl of Morton, and his forefairs, of her Majesty and her royal successors, giving yearly the said James earl of Morton and his forefairs, to her said

Majesty and her royal successors, during the not redemption for all and sundry the foresaid earldom, isles, holms, udell-lands, and other lands, milns, burghs, teinds, patronages, offices, jurisdictions, and others above-mentioned, with the pertinences, the sum of 6000 pounds Scots money, at two terms in the year, Whitsunday and Martinmass, be equal portions in name of few farm, with the double of the said few duty at the entry of every heir, and administration of justice to all and sundry her Majesty's leidges, in the aforefaid offices, as accords with the sum of 1600 pounds Scots money, to the ministers of Orkney, or such other sums as are or shall be modified by way of augmentation to the said ministers out of the tiends above disposed, at the terms of payment used and wont for all other burden, exaction, question, demand, or secular service, which may be any way asked or required forth of the said earldom, lordship, isles, lands, offices, jurisdictions, and others above mentioned, during the not redemption, reserving all hawks pertaining to her majesty, with the faulconaries, salaries, and other casualties to them belonging, conform to former customs used and wont; and lastly, her Majesty, with advice and consent foresaid, declared and ordained the right to be granted by her majesty and her royal successors to the said earl and his forefaids, of the premisses dissolved to the effect and in manner foresaid, to be also valid and effectual, as if the same had never been annexed to the crown and patrimony thereof, and as the said earldom, lordship, isles, lands, and others foresaid were there particularly enumerate about the same, be not so done, whereanent her Majesty with advice and consent foresaid, by the said act of Dissolution, has dispenced for ever, and her Majesty with advice and consent foresaid statutes and declares, that the said act of Dissolution should have the full force and strength of any former act of Dissolution past in the best form with all clauses needful; and rescinded and repelled the foresaid acts of parliament past in the said years 1612 and 1669, and all other acts annexing the foresaid earldom of Orkney and lordships of Zetland, isles, lands, offices, jurisdictions, and others, particularly and generally abovementioned, to the crown, and the heall heads, articles, and clauses thereof, in so far as the same might be hurtful and prejudicial to the foresaid act of Dissolution, and rights to follow thereon, declaring always, that the right and jurisdiction of admiralty is not therein comprehended as the said act of Dissolution more fully proports. Therefore and in prosecution of the said act of parliament, and especially that her Majesty may give a mark of her royal justice and favour to the said James earl of Morton and his family, for preserving the same, our said sovereign lady, with advice and consent of her majesty's right trusty and entirely beloved cousins and counsellors James duke of Queensberry, her Majesty's high commissioner of her antient kingdom of Scotland, James earl of Seafield lord high chancellor of the said kingdom, James marquis of Montrose president of her Majesty's privy council, James earl of Galloway, Archibald earl of Forfar, David earl of Glasgow lord treasurer depute, William lord Ross, and Mr. Francis Montgumery of Giffan, lords commissioners of her Majesty's treasury, comptrollers and treasury of new augmentation; and also with the special advice and consent of the lords and others commissioners of her majesty's exchequer of the foresaid kingdom, ordains a charter to be past and exped,

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under her majesty's great seal of the kingdom of Scotland, in due form, giving, granting, selling, annalizing, and in few firm disposing like as her majesty, by these presents, gives, grants, sets, annalizes, and disposes, in few farm, and for her majesty, and her royal successors, with consent foresaid, perpetually confirms to the said James earl of Morton, and his heirs male whatsoever succeeding to him in his honour and dignity, whilks failing to his heirs and assignies whatsoever heritable, with and under the reversion and redemption after specified, all and heall the said earldom of Orkney and lordship of Zetland, lying within the said kingdom of Scotland, with all and sundry the lands, lordships, regalities, baronies, isles, castles, towers, fortalices, manner places, houses, biggings, yeards, orchards, parks, farms, milns, miln lands, multers, knaveships, woods, fishings as well of salmon as of other fishes in fresh and salt water, freedoms, grassums for entries, towns, burghs, arents, ferm duties, few farms, together with all and sundry lands called Udell-lands, lying within the said earldoms, lordship, and isles of the same, with all and sundry privileges, casualties, and commodities whatsoever pertaining thereunto, either by sea or land, with tenants, tenantries, service of free tenants, as well to teinds burgh as land teinds, great and small, parsonage and vicarage teind duties, advocations, donations, and right of patronage of kirk and chaplanarie, alterages and prebendries, within the said earldom and lordship, isles, udell-lands, and others thereto belonging; together likewise with the heritable office of justiciary sherriffship, or stewardship, baillicarie and founderie within the said earldom and lordship, isles, and others foresaid, belonging to the seamen, with wrack and ware, together with all and sundry privileges, liberties, fees, casualties, and other commodities whatsoever belonging to the said office of justiciary, sherriffship or stuartship, bailliearie and founderie, or any of them, with full power to the said James earl of Morton and his foresaids, to set, affix, affirm, hold and continue justiciar, sherriff, or steuart baillie, and foundery courts at whatsoever place or places within the heall bounds of the said earldom, lordship, isles, lands, and others foresaid, most convenient for that effect, and to make, create, and constitute, justice, sherriff, steward, baillie, and foundary deputes, with clarks, procurator, fiscalls, officers, serjants, dempsters, and other members of court, needful for holding the said justiciar, sherriff, steward, baillie, and foundery courts within the heall bounds of the said earldom, lordship, isles, and lands, and other above written, pertaining thereto, and to do every other thing necessary and requisite there anent, as fully and freely in all respects as any other justiciar, sherriff, steuart, baillie, or foundery within the said kingdom of Scotland, isles of Orkney and Zetland, has done or may do by virtue of their office, at any time by gone, or to come. Like as his majesty, with consent foresaid, by these presents, gives, grants, and disposes to the said James earl of Morton, and his foresaids, in all time comming her right of the few and other duties, casualties, and services of all and sundry the heritable vassals and others within the said earldom, lordship, isles, lands, and others foresaid, with full and sole power to the said James earl of Morton, and his foresaids, in her majesty's place, as remaining still their immediate superior to enter and receive the said heritable vassals, who now actually hold of her Majesty, and the crown, and
their

their heirs to grant charter and infeftments to whatfomever person or persons of the faid earldom, lordship, ifles, lands, and others above written, with the pertinents, or any part thereof, upon refignation or difpofition of the faid vaffal, or decreet of fale, appreffing or adjudication from them; and that either by confirmation or charter, containing precept of feafon, and to uplift, intromit, with uplift and difpofe upon all and fundry the casualties of the faid vaffalls already vacant, and not difpofed, or which fhall happen to fall or vauk hereafter, in all time coming, by fingle or liferent efcheat, non-entry, recognition, or any other manner of way, without prejudice, always to the faid earl and his forefaids, of the fuperiorities, and all casualties, of all and fuch vaffalls, and others, who formerly held of the earl of Orkney, and do not now hold of her majefty; it is alfo with full power and free liberty to the faid vaffalls who now hold of her Majefty to return and take their holdings of the faid earl of Morton and his forefaids, as before they held the fame of the earls of Orkney, in their option, together with all right, title, intereft, claim of right, property, and poffeffion, petitor and poffeffor, with her majefty, her predeceffors or fucceffors had, as or any ways may have, ask, claim, or pretend, to the faid earldom, lordship, udell lands, teinds, patronages, milns, offices, and others, above difpofed, with the pertinents, or to the few duties, mailles, fairms, carns, customs, casualties, fervices, profits, and other duties of the fame, for the terms of Whitfunday and Martinmas 1707 years, and that for the crop and year of God 1707 forefaid, and of all years and terms thereafter to come, during the not-redemption under-written, by reafon of ward non-entry, relief efchet, efcheat life rent, for faultry difclamation, bafterdie laft aire, laft aire allination, of the whole, or moft part, reduction of infeftments, feafons, and retours, not fhewing of holdings, not payment of by gone duties, want of confirmation, or by virtue of whatfoever acts of annexation, acts of parliaments, laws, ftatutes, or confutations, made or to be made, or any other manner of way, right, or title whatfomever, caufe, deed, fact, or occafion, preceding the date of their presents, renouncing, transferring, and over-giving the heall right of the premifes, during the not-redemption under-written, to and in favour of the faid James earl of Morton, and his forefaids, with all power to him and them, to purfue and fuit the right and benefit of the heall premifes, and to ask, crave, receive, intromet with, and uplift the heall few duties, mealls, farms, kains, customs, casualties, fervices, profits, and other duties above difpofed, and to grant gifts, tasks, affignations, translations, and other rights and conveyances thereof, or of any part of the fame, and to call and purfue therefore as accords, compon, tranfact and agree there anent, and to grant acquittances, renunciations, and difcharges thereof, which fhall be fufficient to the receivers, and generally all and fundry other things in and concerning the premifes to do, ufe, and exerfe fuch like, and as fully in all refpects as her Majefty, or any of her royal predeceffors or fucceffors have done, might have done, or may do themfelves: And further, her Majefty has united, created, erected, and incorporated, and by thefe presents, for herfelf and her highneffes fucceffors, with confent aforefaid, unites, creates, erects, and incorporates, all and fundry the forefaid lands, lordship, towns, udell lands, ifles, teinds, and others, forefaid caftles, towers, fortalicies,

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maner, places, woods, graffums, fishings, milns, milnlands, yeards, orchards, parks, femes, fore entries, towns, burghs, offices, patronages, and others above specified, with the pertinents, in an heall and free earldom and lordship, and baronie, with the privilege of justiciary, sherriffship, or stuartrie, balliarie, or foundery respective to be called now, and in all time coming, the earldom of Orkney and lordship of Zetland, and her Majesty wills and grants, and for her Majesty and her royal successors, with consent foresaid, descerns and ordains, that an seifine, now to be taken by the said James earl of Morton, and his heirs male above-mentioned, which failing as said, is in all time coming, at the Castle of Kirkwall, or upon any part of the ground of the said lands, earldom and lordship, shall stand, and be a valid and sufficient seifine to him and them for the said haell earldom, lordship, lands, baronies, isles, udell lands, milns, teinds, tacks, patronages, offices, and others respective, particularly and generally above written, with the heall pertinents thereof, notwithstanding that the same be of divers names and designations, and that the same lies not contiguous together, but in separate isles, where anent, her Majesty has dispenced, and be these presents, with consent foresaid, dispenses for ever: Providing always, like as it is hereby provided and declared, and shall be provided and declared, by the charter and infestment to follow hereon, that it shall be leifom, leifome and lawfull to her Majesty, and her royal successors, at any terms of Whittunday or Martinmas, hereafter following; upon the premonition of 60 days preceding to be made to the said James earl of Morton, and his forefairs, personally at their dwelling places, in presence of a notar, and witneses, to redeem the foresaid earldom of Orkney and lordship of Zetland, by real payment making to the said James earl of Morton, and his forefairs, of the said full sum of 30,000 pounds sterling money; upon payment of which, the said James earl of Morton, and his forefairs, shall be holden and obliged to renounce in favour of her Majesty, and her royal successors, all right and title they have, or can pretend to, the said earldom and lordship, in all time thereafter, any manner of way whatfomever, with this exprefs condition and provision always, that until the sum be so redeemed and duly declared, the said earl of Morton, and his forefairs, shall bruck, enjoy, and possess, the said earldom and lordship, and others thereunto pertaining and belonging above written, with the haill mailles, few duties, and other duties, profits, and services, and casualties thereof in the same way and manner as if the same had been disposed heritable and irredeemably, and shall be no ways accomptable for his intermissions therewith, nor shall the same be imputed in payment of the foresaid principal sum, as also that the rents and few duties of the year wherein the said redemption shall be declared, and all casualties which do then fall and heall benefit and profit thereof, shall pertain and belong to the said James earl of Morton, to be holden, and to be held all and sundry the foresaid earldom of Orkney and lordship of Zetland, lands, baronies, isles, udell lands, milns, tiends, kirks, patronages, offices, and others above disposed, with the pertinents united and erected as said is to the said James earl of Morton, and his forefairs, during the not-redemption, of our said sovereign lady, and her royal successors, in free earldom, lordship, and baronie, with justiciary, sherriffship, stuartrie and bailliarie, and foundery,

foundery, and heall liberties and privileges thereof, in few farm, fee and heritage, for ever, be all right, meiths and marches thereof, old and divided, as the same lye in the length and breadth, in houses, biggings, mosses, muirs, foreland, pastourages, miln, multers, knaveships, hunting, hawking, fishing, coal, coalhoughs, cunnings, cuningars, doves, dovescats, court plant, herizeta, blood wits, with fork-fals, thole thurne, wrack ware, infang thef, utfang thef, pit and gallows, with all and sundry other privileges, liberties, commodities, easements, common pasturage, freeish, and entric, and others, as well not named as named, under the earth as above, well and in peace, but any reversion, or again calling whatsoever: Giving therefore yearly the said James earl of Morton and his forefairs, and his heirs male whatsoever, succeeding to him in his honour and dignity, which failing, his heirs and assignies whatsoever, during the not redemption above written, to our sovereign lady and royal successors, for all and sundry the foresaid earldom, lordship, baronies, isles, udell lands, and other lands, milns, tiends, tacks, patronages, offices, and others, above disposed, with the pertinents, unite, and incorporate, as said is, the sum of 6000 pounds Scots, at two terms in the year, Whitsunday and Martinmas, be equal portions, in name of few farm duty, with the double of the said few farm at the entry of every heir to the said earldom, lordship, isles, and others foresaid, and administration of justice, to all and sundry her Majesty's liedges in the foresaid offices as accords, with the sum of 1,600 pounds to the ministers of Orkney, or such other sum or sums as are or shall be modified by way of augmentation to the said ministers, out of the teinds above disposed, at the terms of payment used and wont, together with the hawks belonging to her Majesty, and the falconers salaries conform to formed custom used and wont; for all other burden, exaction, question, demand, or secular services, which may any way be asked or required furth of the said earldom, lordship, isles, lands, offices, jurisdictions, tiends, and others above-mentioned; and lastly, her Majesty faithfully promises on the word of a princefs, to cause ratify these presents charter and seafon to follow thereupon in the present or the next session of this her majesty's current parliament, or any other ensuing parliament, for doing whereof, the foresaid charter shall be a sufficient warrant; and that the said charter be further extended in the best and most ample form, containing precepts of seafin, and all other clauses; and that precepts be orderly direct hereupon in form, as effairs given at her Majesty's court of Kensington, the 1st day of February, 1706-7, and of her Majesty's reign the 5th year, ' Ut supra scribitur ANNE R. ; et subscribitur Queensberrie, commissioner; Seafield, canseller; Montrose et Gallaway, Forfar; Glasgow et Montgomerie, Mar.; S. Loudon, S. Weems, Northesk, Leven, Cromerty, James Murray, Archi. Douglas, John Erskine, comp's, ten marks.

The

The old Country Acts, or Abridgements thereof.

Act 1. THAT the bailie in each parish concur and assist in the discipline of the kirk and execution thereof.

2. That none miscarry or lay down the crofs under the penalty of ten pounds Scots, *totious quotious*.

3. That all weights and measures be yearly adjusted, marked, and observed, conform to the several acts made there anent, under the pains of ten pounds, and doubling thereof as often as contravined.

4. That all thiggers of wool, corn, fish, and others, be apprehended wherever they come, by any that can find them, and to put them in firmance, to be punished with the stocks and joggs; and that none receive them in their houses, nor give them hospitality or service, under the pain of ten pounds, *to. qu.*

5. Anent destroying of ravens, corbies, &c. in manner and under the pains in the act of parliament made there anent.

6. That good neighbourhood be observed and kept by timous and sufficient bigging of decks, and putting up of grinds and passages, keeping aud closing the same; and that none big up accustomed grinds or passages through towns, or any way close up the king's high road, under the pain of ten pounds; that all decks be sufficiently built before the last of March, so as all cattle may be kept without decks from the time that the labouring begins; and whatsoever person shall wilfully allow their cattle to tread upon their neighbours ploughed land or meadows, before the first of May, shall pay for each swine ten shillings, for each sheep two shillings, for each horse, mare, or colt six shillings; doubling the said pains after the first of May, besides payment of the damages; and that they pay forty shillings for each winter sloop found in their decks after the first of May: That whoever neglects to close the grinds, or breaks down, and goes over decks, shall pay for each time they do so forty shillings Scots, besides the damages; that all within one deck keep good neighbourhood to others, by thetering, herding, and folding, as well by day as by night, and not to pasture upon, or overlay others with their cattle, nor unlawfully hurd and drive upon others, under the pain of forty shillings for each fault, *to. qu.* beside damages; and that none have more swine than effeiring to their land labouring; and that none have swine pasturing upon their neighbours land, meadows, grass, commonalty and pasturage, neither within or without decks, that hath no swine pasturing upon them, and that they keep their swine upon their own ground under the pain of ten pounds, by and attour the damages, and that building, punding, and hurding, be used in lawful way before or a little after sun-setting, and that none scare, hurd, or brack up their neighbours punds and buills, under the pain of ten pounds beside damages.

7. That none go into other mens holms or isles under the pain of ten pounds for the first fault, twenty pounds for the second, and for the third to be repute as thieves, and prosecute accordingly; moreover, by act the 3d of July, 1628.

that the said penalties be exacted, and the one-half thereof to be delivered to the judge, and the other half to the dilaters or ownere of the holms.

8. That none keep sheep-dogs but such as are appointed or allowed by the sheriff or baillie, with the advice of the special honest men in the parish, whose names are to be recorded in the court books, and each of them to be answerable for their actings; and that none run after sheep with a dog unaccompanied, or take in and kill any until first shewing the mark to a rancellman, or other honest man, under the pain of ten pounds Scots money for the first fault, besides payment of damages, and doubling the said pain for the second, and for the third fault to be a point of dity, and the contraviners to be holden and repute as thieves, and discharged to use or keep a sheep-dog, in all times coming; and that none mark lambs or row sheep where there is different owners in the flock, but at the sight of sufficient witnesses, under the pains foresaid; moreover, if any person shall use a sheep-dog, and run therewith after his own sheep amongst those of his neighbours, unaccompanied mark; row, or take home any without shewing the same as afore said, shall pay for the first fault four angels; for the second, six angels; and for the third, or at any time under the cloud of night, shall be holden and repute a common thief, and punished accordingly.

9. That none blood, hurt, or mutilate their neighbours nolt, sheep, or horses, under the pain of ten pounds Scots, beside payment of damages.

10. That all dogs in the respective parishes be tryed yearly by the baillie or by the rancellmen, and other honest men in the parishes; and if any be found to have dogs that take, or may take sheep, who are not allowed to keep sheep-dogs, shall pay according to the former act, and the dogs so found to be hanged, and all running dogs to be discharged, under the pain of forty shillings, to be paid by the owner of the dog, *to. qu.* and the dog to be hanged.

11. That the rancellmen be yearly sworn and examined, or as often as needfull, and give an account to the sheriff or bailie anent their diligence; and that they see all wool-skins, heads, and marks whatsomever; and that they see all cloths and stockings made of wool, and compare the same with the stock of the makers; and all lines and tomes made of horse-hair, and keep accounts thereof; and that they take up inventories from Smiths and Websters of all work wrought by them; and that none refuse rancelling, or to give up inventories, or quarrel, or offend at rancelling, under the pain to be repute and punished as thieves.

12. That none see or seduce another man's servant, except they be discharged of their masters, or that they have discharged them forty days before a lawful term; and that none receive such servant who are not free of their service, nor give them hospitality, nor entertain them, nor flit them either by land or sea; nor are they to be received, nor entertained, though free, into any other parish, without a testimonial; and that none keep in their houses idle women, vagabonds, or housefolk, nor let houses to such, under the pain of ten pounds, *to. qu.*

13. Act, August, 1630, ratifying the former act, forbidding any person to marry and set up house who has not forty pounds Scots of free gear, or some lawful trade to live by; and that none set house or land to such persons under the pain of

of ten pounds said money; and that none seduce, force, or transport, any other man's son, daughter, or servant, forth of the country, under the pain of one hundred pounds Scots money.

14. That none ride, labour, or use, any other man's horse without liberty of the owner, under the pains following, viz. without in the parish where the owner dwells, to pay four marks to the sheriff or baillie, and other four marks to the delators or informers; and from one parish to another to double, triple, and quadruple, the foresaid pain effient to the parishes he passes through; and that none cut away other man's horse-tail or main, under the pain of ten pounds; moreover, 3d of September, this act ratified, and the contraveners thereof the 2d or 3d time to be punished as thieves.

15. That none hide nor conceal any kind of theft, sorcery, witchcraft, riots, blood, or other injury, and prejudices done, but shall delate and report the same to their bailie, as they will eschew to be reputed as partakers thereof, and punished according to law.

16. That the bailie in each parish take order without the trying and adjusting of bismers, with the stoups, cans, and other mets and measures, under the pains contained in the act of parliament; and that a lispound upon the bismar used for receiving of rent butter, and other merchandize bought and sold, be 28 pound, or one quarter of an hundred weight, allowed by law in all grocery ware; and that the can wherein the rent oil is measured, as also that used in buying and selling, contain one Scots quart and a mutchkin of water, and no more. That the ell on which all coarse cloth, linen, and stuffs are measured, be 3 feet 1 inch, or 37 inches long; and that the ell called the Websters ell be 3 feet 4 inches, or 40 inches long, on which only unfixed cloth is measured.

17. That none row sheep on Sunday, under the pain of ten pounds.

18. That none meddle with other mens goods or gear at their own hand, under pretence of alledged debt, especially the goods in their own keeping, under the pain of ten pounds Scots, besides restoring of the goods with their profits.

19. That none buy victual in wholesale, and retail it at a greater price before publication of eight days warning, under the pain of 40 pounds Scots, *to. qu.*

20. That no brewer sell ale dearer, nor effient to the price of the malt; and that it be sufficient drink and measure, under the pain of confiscation.

21. That none mix ale, beer, or wine, under the pain of confiscation.

22. That bounds have no more persons in their families than effient to their estates and land labouring, and that they put one or more of them to another master, that needs servants, conform to the ancient form of the country.

23. That none delve till take on pasture upon their neighbours land or grass, under the pain of 10 pounds Scots, beside the payment of damages.

24. That none repair to feasts uncalled, under the pain of 40 shillings Scots.

25. That pointed goods be loosed within six hours after advertisement, and the fute satisfied, under the pain of 40 shillings Scots; and being advertised, denies the goods, shall pay 6 pounds Scots; or if they take them away at their own hand, shall pay 10 pound Scots.

26. That none remove from land or houses of their own accord, or shall demolish or take away any thing belonging thereto, although furnished by themselves, under the pain of 20 pounds beside payment of the damage.

27. That all persons have sufficient corn yard dykes; and that no corn mounds be made for corn eaten within corn yards, except where more than one is concerned in the yard; he that hath the insufficient dyke must pay the other's damage; as also for all marks the owner whereof must pay the damage.

28. That none libb any beast upon Sunday, under the pain of 20 pounds Scots.

29. That all bloods and riots be affixed according to justice.

30. That all briggs and common passages be kept in repair by the persons used to repair them, under the pain of 10 pounds.

31. That none use staff bismer, nor any other, save such as are adjusted and marked to buy and sell on, under the pain of 20 pounds Scots.

32. That every scotald have a sufficient pund, under the pain of 10 pound Scots.

33. That none use musel bait, or other bait, but such as all or the most part of the fishers have, under the pain of 10 pounds; and that none fish with haddock lines within voes, from Belton to Marls, or so long as they can draw hadocks on hand lines, under the like pain of 10 pounds Scots; and that none take bait, nor cut jany in another man's ebb, under the like pain of 10 pounds.

34. That all persons living in neighbourhood, keep order, law, and good neighbourhood, in tilling, labouring, and manuring the ground, conform to the ancient custom formerly observed, under the pain of 12 pound Scots, and failing therein, to be put from land labouring, and ordered to service.

35. That all horses belonging either to ulscalders or inscalders, oppressing and overlaying the neighbourhood, be instantly removed, after due advertizement given to their owners, and at the kirk door, under the pain of being confiscat and escheat to the king.

36. That none contemptuously pasture upon paves flaws, cut floss, or east peats, in their neighbours scotald, under the the pain of 10 pounds Scots, nor that any cut floss before Lammas-day, in their own scotald, and due advertising, the neighbours of the scotald, under the pain of 40 shillings Scots, *to. qu.* and that none have more swine than four upon a last of land over winter, under the pain of 10 pounds.

37. That none keep scar sheep, except it be in the holms or nisses, dict in properly belonging to themselves, under the pain of 10 pounds Scots, and forfeiture of the sheep, after six months advertisement.

38. That none bring nor teather their horses within the duks of Kirktowns, under the pain of 40 shillings Scots, for each time they do so, without liberty asked and granted.

39. That the bishop of each parish, with twelve honest men there, ride the marches of the parish, betwixt the 1st of October and the last of April, yearly, or when required thereunto by the Scatalders, under the pain of 40 pounds.

40. That each bishop have the heal country acts authentikly extracted under the steuart clerks hands, and cause read at least the abreviate thereof in their bishop courts

courts twice a year, or once at least, that none may pretend ignorance of the same and take true tryal of the breaches thereof, and cause poynd for the same, and that they find caution for what part thereof may be due to the sheriff, or pror fiscal in his name, and deliver the same to the sheriff at the head court, under the pain of deprivation; and that each bishop have an authentic court book, wherein all their acts and procefs of court shall be written and set down, and that the same be produced to each clerk at the circuit courts kept in the parish, under the pain of deprivation.

41. That none go to sea, or be employed about fishing, from sun set on Saturday nights till after sun rising on Monday morning, nor travel by sea or land about their secular affairs or business, or any other way imployed therein on the Sabbath-day, except in works of necessity and mercy, under the pain of 10 pounds Scots, by and attour the penalties and punishments ordained by law against all sabbath-breakers.

The Ferry Fraughts in ZETLAND, on the East Side.

					A 6 oar boat. Scots.	A 4 oar boat. Scots.
From Unst to Tetlor	—	—	—	—	10	6
Unst to Yeall over Blooma found		—	—	—	4	2
Uya found to Refirth	—	—	—	—	1 4	15
Uya found to Burravoe Yell		—	—	—	2 8	1 10
Fetlor to Refirth	—	—	—	—	12	8
Fetlor to Burravoe Yell	—	—	—	—	1 16	1 4
Burravoe Yell to Burnes, or Tofit		—	—	—	18	12
Burravoe to Ollaberrie, to No-Roo, the same	—	—	—	—	1 10	1
Burravoe to Mavisgrind	—	—	—	—	2	1 10
Ulsta to Tofit	—	—	—	—	10	6
West Sandwick to Ollaberse, No-koo or Queforth		—	—	—	18	12
West Sandwick to Mavisgrind	—	—	—	—	1 16	1 4
No-koo to Mavisgrind	—	—	—	—	1 16	1 4
Ollaberse to Mavisgrind	—	—	—	—	1 4	16
Burravoe to Boatfroum	—	—	—	—	18	12
Burravoe to Luna	—	—	—	—	1 6	18
Burravoe to Simbester	—	—	—	—	1 16	1 4
Sullom to Scatsta, 2s. from Ollaberrie to Buranes		—	—	—	15	10
Burnes Swimster, or Deall, to Lunor		—	—	—	15	10
Collafirth to Lunna	—	—	—	—	12	8
Luna to Vidlan	—	—	—	—	6	4
Luna to Whalsay. Whalsay Sound, 4 shillings		—	—	—	12	8
Whalsay to Laxvoe, Bulister, or Neep		—	—	—	12	8
Whalsay to Brough	—	—	—	—	18	12

				A 6 oar boat. Scots.	A 4 oar boat. Scots.
From Whalsay to Lerwick	—	—	—	1 16	1 4
Vassay to Lerwick	—	—	—	18	14
Catfirth to Lerwick	—	—	—	1	14
Vassay or Catfirth to Laxfirth	—	—	—	9	6
The common fare over Brassay Sound, is	—	—	—		2
Laxfirth to Lerwick	—	—	—	1	14
Brewick, or Cold Clift, to Lerwick	—	—	—	15	10
Lerwick to Quarf	—	—	—	15	10
Lerwick to Ochraquoy	—	—	—	1	15
Lerwick to Aith	—	—	—	1 4	18
Lerwick to Sands Aire	—	—	—	1 10	1 4
Lerwick to Dunroffness	—	—	—	2 10	2
Cuningburgh to Sands Aire	—	—	—		3
Hofewick to Levenwick.	—	—	—		2

On the West Side.

				A 6 oar boat. Scots.	A 4 oar boat. Scots.
From Spgga to Houfs	—	—	—	1 10	1 4
Houfs to Scallaway	—	—	—	10	6
Bigtown to Houfs	—	—	—	1 4	18
Mawick to Houfs	—	—	—	10	6
Quarf to Scallaway	—	—	—	10	6
Scallaway to Uftanefs	—	—	—	10	6
Scallaway to Sand, or Rewick	—	—	—	18	12
Scallaway to Bixfeter	—	—	—	1 4	18
Scallaway to Valay	—	—	—	2	1 10
Sarlayoe, or Gruten to Valay	—	—	—	15	10
Valay to Papaftour	—	—	—	1 4	18
Papa Sound	—	—	—	8	6
Papa to Eshanefs, or Helwick	—	—	—	1 4	18
Papa to Nounsburgh, or Scater	—	—	—	18	12
Papa to Bufta	—	—	—	1 16	1 4
Bufta to Hilswick, and from Hilswick to Marruend	—	—	—	1 4	18
Hilswick to Hamer, 4 shillings, to Gunefter, 6 p.	—	—	—		
Bufta to Olnafirth, Gonfirth, or Papa Little	—	—	—	10	6
Bufta to Aith, or Brinafter	—	—	—	18	12
Bufta to Sandnefs.	—	—	—	1 10	1 4

The land fares in Zetland is, for horse-hire, one shilling Scots, the mile, and something to the boy; for a post with a letter one shilling, said money, per mile out, or for carrying any light burden the same.

Country

Country Act anent Parochial Schools.

AT Lerwick, the 14th of November, 1724, anent propofals for erecting parochial schools in Zetland, in prefence of Thomas Gifford of Bufta, ftuart and jufticiar depute of Zetland, fitting in judgement, the whole heritors in Zetland prefent by themfelves or their proxies, of which propofals the tenor follows in thefe words : Propofals unto the gentlemen heritors of Zetland, anent fettling parochial fchools there, as law provides. As it is not unknown to any of you, that there is no legal fchool fettled in any parifh of this country, fo there is none can pretend ignorance of the laws and acts of parliament made thereanent, whereby it is ordered and ftrictly obferved throughout the whole kingdom of Scotland, that a legal fchool be erected in each parifh thereof, as particularly by act W. par. I. fef. 6th. cha. 26. ratifying all former acts anent fchools and fchoolmafters, by which act the heritors of each parifh are obliged to settle a fund for maintaining a fchool not under 100 marks Scots money yearly, nor exceeding 200 marks, faid money : and although that good and neceffary law hath not yet obtained in this country, yet certainly we are no lefs bound to the obfervation thereof than any other place within the faid kingdom, nor can the fame be fupposed lefs neceffary here than any where elfe ; nay, it is plainly obvious to any thinking perfon, that the grofs ignorance and immorality that doth every where abound here, is chiefly if not folety, owing to the want of that early education and inftruction of children, not only in the knowledge of letters, but alfo in the principles of our holy religion, which a fchool in each parifh would in a great meafure fupply ; and to infift upon the ufefulness and neceffity of fuch parochial fchools were fuperfluous, feeing it is not prefumable that any good man will either difpute that, or refufe to contribute his utmoft reafonable endeavours to propagate a work fo pious and beneficial to the country, for in whatever parifh a legal fchool is once fettled, befide the benefit of that fchool ; if the parifh is difcontiguous fo as one fchool cannot ferve the whole parifh, they are, upon a right representation thereof, intitled to a fchool from the fociety for propagating of Chriftian Knowledge, whereas the parifh where no legal fchool is fettled has no title thereunto. Now the grand objection againft erecting thefe legal fchools in this country is, that the heritage, or land rent, in moft parifhes here, is fo inconfiderable, that the fmall heritors are not able to fupport the charge thereof ; for obviating of which difficulty, although it cannot be denied but the charge thereof will be a greater burden upon the fmall heritors of Zetland, than upon moft places in Scotland, yet confidering the great benefit that may thereby arife to the poor inhabitants, it can be demonftrate if the heritors are willing and unanimous, there is not a parifh in Zetland but can afford one hundred marks yearly, without any great burden upon the heritors, according to this method, that feeing there is no certain valuation of land-rent here, let that fund for the fchool be laid on in the fame manner the cefs is upon the marks of land, and the tenants to be the firft advancers thereof, and the one half of what they advance to be allowed them out of the land rent ; and thus there are fome parifhes in
Zetland.

Zetland that by an imposition of one shilling Scots upon the markland will amount to upwards of 100 pounds Scots: other parts there are that at the rate of one shilling and six pence said money will furlie amount to 100 marks, so that it can be left to the discretion of the heritors in each parish to proportion it upon the land as they shall see cause, the quota not being under 100 marks yearly; and this being agreeable to the method proposed in the act of parliament, and common practice throughout the kingdom, it is expected it will take the better in this place, or if any better method can be offered by any person or persons for effectuating of this pious and necessary design, let the same be produced to be considered of by all the gentlemen concerned, or any other needful amendments, and the fund being once settled, the direction thereof to be left to the heritors, minister, and kirk session in each parish, to be improved to the best advantage for promoting the end thereby designed. T. G.

Lerwick, November 13th, 1724, the above proposals were read in open court, the whole heritors present, who took the same to advise and on till to-morrow at ten of the clock in the forenoon, being the 14th day of the said month, the said day the heritors under subscribing having deliberately considered the above proposals, did unanimously go in thereunto, upon the conditions and under the restrictions following; viz. 'that the fund above proposed be levied out of those lands commonly called King's Land, as well as the Udell land, by an equal proportion upon the marks of land; and, 2dly, that the said fund should be under the direction of the heritors; and also the nomination of the schoolmaster, and seat of the school in the respective parishes, shall be, with the special advice and consent of the heritors; and in case of any schoolmaster being placed in any parish without consent foresaid, the heritors to be liberated from the payment of the fund above proposed; the heritors also having power to present a fit person for collecting of the said fund as proportioned upon the land by them in each parish; and in testimony whereof they did subscribe the same with their hands, and craved an act of court thereupon; and that extracts thereof should be transmitted to the several bailies and principal heritors in each ministrie; subscribed by Robert Sinclair, Laurence Bruce, James Mitchell, William Dick, Magnus Henderson, Andrew Scott, George Pitcarne, Robert Cragie, Robert Bruce, William Bruce, Thomas Hendrie, Robert Sinclair, John Laurence Stuart, Hector Scot, James Dunbar.

The Judge having seen and considered the premises, and finding the gentlemen heritors above-mentioned had unanimously gone into the proposals and method above laid down, for raising an annual fund in each parish in Zetland, for the maintenance of a school under the restrictions foresaid; and that the said fund may be made effectual in manner and for the end above proposed, did interpose, and hereby interpose the authority of the Stuart Court of Zetland thereto, and ordains the same to be recorded in the books thereof, and extracts of the same to be transmitted to the bailies and principal heritors of each parish; and in regard the right honourable the earl of Morton's concurrence thereto is not yet obtained, that his lordship's tenants may not be distressed for payment of the said fund until his consent be procured; and that for each extract, the clerk extractor be paid a crown. (Signed) T. G. extracted J. G.

A Compend of the Country Acts for directing the Rancell Men, and Society for regulating of Servants, and Reformation of Manners, with their Instructions.

AT Burravoe, the 17th day of November, 1725, a circuit court holden by Thomas Gifford, of Bulta, stuart and justiciar depute of Zetland, there were several petitions from some of the kirk sessions and heritors of Zetland presented and read in open court, containing in substance the following words:

That amongst many, the gross sins and immoralities which abound in Zetland, that of servants, unfaithfulness, negligence, and disobedience to their masters, is none of the least common, together with sabbath-breaking, cursing, swearing, ignorance, irreligion, stealing, lying, adultery, fornication, malice, envy, covetousness, drunkenness, disobedience to parents, and that abominable feud betwixt husband and wife, turning even to sinful separation with some, &c. are the just deserving causes why a holy and sin-revenging God is justly provoked to inflict judgments upon this place, if a speedy repentance and reformation be not set about by all persons in their respective stations and capacities; and for the better effectuating such necessary reformation, it may not be impertinent to condescend upon some of the most obvious causes of these abounding abominations to be considered of, and as far prevented for the future as possible. As first, ignorance of God, and the principles of our holy religion, which leadeth many into a contempt of and slighting the gospel and ordinances thereof. 2d, Fulness of bread and plenty, which the Lord hath been pleased to continue for some time, sadly and sinfully abused by the generality of the ingratefull receivers thereof. 3d, Negligence and slackness in the magistrature, the minister, the elder, the rancelman, and masters of families, in the zealous, prudent, and conscientious performance of their respective duties. 4th. Criminal neglect of parents in the education of their children; not a few such unnatural parents there are, who do not only slight the opportunity good providence hath laid to their hands of having their children at least taught to read the holy scriptures, but also are at no pains to have them trained up in the knowledge of our holy religion, nor to acquaint them with that honest labour and industry which might put them in a capacity to earn their bread, when grown up, and make them useful in the place where they live, it being rather the practice of many graceless parents by their evil example to poison their children with many vicious habits, or at least to bring them up in sloth and ignorance, allowing them to do what they please, and thereby not only ruining their children, but also bringing themselves under the guilt of perjury. 5th, The frequent marriages of such as have no visible stock whereupon to subsist, many young fellows having no sooner got whole cloaths, but they imagine themselves too genteel to serve, and being once married and set up for themselves, they can live as they list; and thus many such are quickly reduced, either to extreme poverty, or tempted to bad practices, whereby also a generation of idle beggars is produced, and the families of honest and industrious people are

reduced and brought low for want of servants. These, and such like, being the causes of many calamities already felt, and more yet feared by us; we most humbly beg the civil magistrate to take the same under his most serious consideration, and not only to cause the good laws against profaneness and immorality to be put to vigorous executions, but also to make acts agreeable thereunto and adapted to the particular circumstances of this country, for suppressing of sin and immorality, and promoting of piety and virtue, by inflicting of condign punishment upon all wilful transgressors of God's holy law, and thereby proving indeed a terror to evil doers, and for a praise to these that do well.

The said stuart depute, having considered the foresaid petitions and representations, and finding the desire thereof both reasonable and necessary, is willing to do what in his power for putting the laws to due execution, conform to the will and tenor thereof, as far as is competent to him upon any just and regular application made to him for that end. But it appears evident, that the cause why transgressors of the law, and disturbers of the peace pass with impunity is because elders, rancelmen, and masters of families, are negligent in their duty, as having the first inspection of and daily access to know the lives and manners of all persons in their families and respective bounds, some of them being ignorant of the danger they incur by such neglect, and others coniving at the faults of those they are either unwilling or afraid to reprove, or inform against, foolishly imagining it safer to sin against God by their silence than to offend their fellow creature, and therefore do not only involve themselves in the guilt of other people's sins, but also become guilty of that heinous sin of perjury in acting perfidiously in the duties of their station and office; for which cause, and that such irregularities may be prevented as far as possible for the future, it appears absolutely necessary that elders and rancelmen should be strictly enjoined by the respective judicatories of whom they hold their office, that they carefully and diligently perform the duties incumbent on them, conform to the solemn oaths they have come under so to do, and that under the pain of being prosecuted as perjured persons, and punished accordingly; and for making the laws as intelligible as possible unto all persons so far as relates to the most obvious immoralities that prevail in this place, the following acts and directions are entered by authority of the said stuart court, and ordained to be observed as founded upon and agreeable to the laws of this kingdom, and the old country acts.

Act 1. That no person or persons within the country of Zetland travel by sea or land upon a sabbath-day about any secular affairs, nor use any work, business, or recreation, lawful on other days, save in works of necessity and mercy, under the pain of four pounds Scots for the first fault, and eight pounds said money for the second, besides satisfying the kirk for the scandal; and those that cannot pay, to be punished in their persons, and if thereafter found guilty, to be proceeded against as the law directs, with the utmost rigour; and that each person wilfully sitting at home from the kirk on the Lord's-day, or withdrawing from divine service, who can give no good reason for their so doing, shall pay for each time twenty shillings Scots, and such as cannot pay to be punished in their persons; one-third of these fines to belong to the informer or prosecutor, and two-thirds to the poor.

2. That

2. That all persons within the parish punctually attend upon diets of catechising, and family visitation as appointed by the minister, under the pain of twenty shillings said money, to be paid by each person absent if they can give no reasonable cause for their absence, the master or mistress of the family being liable *primo instante* for all persons in the family, having recourse against the offenders; one-third of the fines to the prosecutor, and two-thirds to the poor.

3. That each profane curser, swearer, or liar, shall pay for each fault twenty shillings said money; and if habitually found so, to be also punished in their persons; one-third part of the fine to the informer, and two thirds to the poor.

4. That any person being found to drink drunk shall for the first fault pay half a crown, for the second a crown, and if found habitually so, to be punished in their persons, and fined as law directs; and whosoever giveth, or selleth drink to such habitual drinkers, shall also be liable to the foresaid fines and punishments.

5. That no person scold with, nor provoke their neighbour, nor any other person by abusive language, under the pain of three pounds said money, for the first fault; and if found to be habitual scolds and disturbers of the peace, to be punished in their persons, and fined at the discretion of the judge, and as provided by law.

6. That each parent who wilfully neglects to put their children to school, when conveniently they can do it, and does not teach them to read, shall pay yearly double the tax due by him of the Fund for maintaining the parochial school, and also a fine of three pounds said money for the use of the poor scholars.

7. That every master of a family have all his children and servants instructed in the principles of our holy religion, and taught the shorter catechism, at least use his utmost endeavour for that end, under the pain of three pounds said money, to be paid by such who are found negligent in that duty, for the use of the poor; and that masters impose nothing upon their servants that is either unlawful or unreasonable, nor withhold from them what is their due, either in meat or fee, conform to agreement, and the country practice, under the pain of three pounds said money.

8. That whatsoever servant, male or female, shall wilfully disobey their master or mistress's lawfull commands, or give them provoking and unbecoming language, shall in the first place be liable to rebuke, exhortation, and moderate correction; and if they notwithstanding continue to offend, shall, upon the first complaint against them being proven, lose half a year's fee, and also be punished in their persons as their offence shall be found to deserve; and that no servant remove from their service, but upon lawful warning of their master or mistress half a year before the term they design to remove, and that before a rancelman, or one of the members of society for regulating of servants, who are to witness such warning whenever required thereunto; and that upon reasonable grounds to be judged of by the said society, or any three of them, and that none otherways remove, unless it be with the mutual consent of master and servant, under the pain of half a year's fee, besides personal punishment; and that no person receive nor entertain in their houses any servant who shall have contrary to this act gone away from their masters, under the pain of half a mark, Scots money, for each night they keep such servant, after being

advertised thereof; and that no master or mistress thrust out their servant without due warning as above; and in case of a servant becoming invalid through sickness, old age, or accident, that they care for, and maintain them untill application be made for having such invalid settled upon the public charge of the parish, as is usual in such case, and the same obtained under the pain of three pounds said money, besides damages to the servant so thrust out, as the baillie shall see reasonable.

9. That none practise upon, or intice another man's servant; nor see a servant, but at the sight and in the presence of a rancellman, or one of the members of society, who can vouch the servant's being free to see, under the pain of three pounds Scots, to be paid by the inticer or seer, and forty shillings said money by the feed, besides losing the servant.

10. That none keep more servants or working people in their families than what they have absolute occasion for, while others want servants; but that the society for regulating of servants appoint them to part with such as they see needful, for supply of such as want, under the pain of half a mark for each night they keep the servant appointed, besides damages to the persons to whom they are appointed.

11. That in such families where they have no servants but their own children, that some of those children be appointed to other service, and if need be, appoint them a servant in place of the child or children removed, so as there may be at least one servant in the family, besides the children, under the pain of half a mark each night the person appointed is kept back.

12. That none entertain in their families idle persons that are capable to work, nor such as are called house-folk; but that the said society appoint them to service, under the pain of half a mark for each night, to be paid by the person who keeps them after such appointment.

13. That none keep scar sheep, save in holms, under the pain of ten pounds.

14. That none conceal their tythes of any sort, under the pain of ten pounds Scots money.

15. That none keep unjust weights and measures to buy and sell upon, under the pain of ten pounds said money.

16. That all the poor people incapable to work for their bread, and having no children capable to maintain them, be quartered in the parish for maintenance, and that they have money out of the poor's box for buying of clothes, and that none of them be allowed to go out of the respective quarters to which they are appointed; and when they die, that they have a chift and winding sheet, out of the poor's box, and that no householder refuse to receive the poor appointed to him in his turn, under the pain of forty shillings, said money.

17. That none be allowed to marry, who has not forty pounds Scots of free gear to set up house upon, or some lawfull trade whereby to subsist, nor such as cannot read, and is someway capable to demean himself as a Christian master of a family; and that the foresaid society inquire thereunto, and suffer none otherways to marry.

18. That

18. That no master of a family entertain in his service any servant belonging to another parish three months, without a testimonial from the parish where he was born, under the pain of three pounds, said money, and losing the servant; and that no servant remove from one parish to serve in another, untill first making application to the society for regulating of servants, who not finding such servant as good encouragement as they can have elsewhere, then they are to recommend them to the session for a testimonial, and then they are free to serve in any parish they please, providing such servant bring securities from the baillie or kirk session of the parish where they are to settle, that in case they shall through old age, sickness, or accident, be rendered incapable to serve, that they shall be maintained at the charge of that parish; and not be returned back to the parish where they were born when unable to do any thing for themselves, as has been the common practice; and if no such security be given, that such servant be charged to return to the parish where they were born within three months after their departure, under the pain of ten pounds Scots, to be paid by the master of such servant, and six pounds, said money, by the servant, besides personal punishment in case of refusal.

19. That the society for regulating of servants appoint them reasonable fees according as they deserve, and is common in the country; and that no servant be compelled to serve any master who does not give them meat and fee duly and seasonably, conform to agreement.

20. That no persons within the parish, on the sabbath-day, bring their horses within the dicks of the kirk town, nor teather them there, without liberty granted by the proprietor, or tenant, under the pain of forty shillings Scots, for each time.

21. That no person within the parish sell old corn over year, and refuse to assist his neighbours in labouring time with seed and fodder, they paying him the highest price therefore that goes in the country, under the pains of ten pounds.

22. That no person bring any butter for payment of land-rent, or otherways to be sold, but such as is clean from hairs, bland, and other dirt, and sufficiently salted, under the pain of forty shillings Scots, for each insufficient parcel presented; and for the first fault, the insufficient butter to be returned to the owner; and for the second, the butter to be forfeit for the use of the poor of the parish.

23. That no persons present fish-oil for payment of any rent, or for sale, but such as is sufficiently boiled thin, free of drag, and all other mixture, under the pain of forty shillings for each insufficient parcel thereof presented; and that law right men be appointed for receiving the butter and oil, conform to the old country act.

24. That all coarse stockings for sale be made of double yarn sufficiently walked, under the pains contained in the acts there anent made.

25. For encouragement of fishing, upon which the general benefit of the country very much depends, that every householder who is not a fisher, and having servants or sons capable to go to sea, be allowed to go with any fisher that wants them, for reasonable fees, the months of May, June, and July, the one-half of which fee so earned to belong to the master, and the other half to the servant, beside his whole ordinary fee; and that the society for regulating of servants appoint reasonable fees for all servants both for land and sea service, so as masters may not be imposed upon,

upon, nor servants defrauded of what is their due; and that both masters and servants observe the said appointment, under the pain of three pounds Scots money.

26. Anent making of rancelmen, and their instructions.

In a baillie court, lawfully fenied, the whole householders in the parish being present, the baillie is to cause his clerk to read out a list of such honest men in the parish as are fit to be rancelmen, and then he is to enquire each of them, if they are willing to accept of the office of rancelmen, and if any of them refuse, and can give no good reason for his refusal to accept, the baillie may fine him in ten pounds Scots; and those that accept, the baillie is to enquire of the whole householders present, if they have ought to object against either of these men, why they may not be made rancelmen, and no objection being made, then the following instructions are to be read to them:

I. You are at any time, night or day you see needfull, to call for assistance, and to enter wi hin any house within the parish, and search the same as narrowly as you can; and upon any suspicion of theft, if they refuse you keys, you are to break open their doors or chests, and if you find any thing that is stolen, you are to bring the thief and the fang to the baillie, or secure both, and acquaint the baillie; if you have any scruple about any thing you find in the house, you are to enquire how they came by it, and if they refuse to tell, take witness upon their refusal, and let the thing be secured till you acquaint the baillie; you are also to examine the house-stores of flesh and meale, and see if they be correspondent to their stocks, and likewise the wool, yarn, webs, stockings, &c. and enquire how they came by all these, and if they cannot give a satisfactory account thereof, and brough and hamele, you are to inform against them.

II. You are to enquire into the lives and conversations of families, whether there is any discord or unbecoming carriage betwixt husband and wife, parent and child, master and servant, or any other unchristian or unlawful practice in the family: you are to rebuke such and exhort them to amend; and if they obey it is well; if not, you are faithfully to represent such to the judicatory competent, and bring the best evidence you can against all such offenders.

III. You are to present all quarrels and scolding as far as in your power, by commanding the contending parties to the peace, and if they persist, require witness against them, and call for assistance to separate them, and give in a faithfull report thereof to the fiscal, or clerk of court; and in case you are not witness to any scolding or quarreling that happens, you are to gather the best information thereof you can, and make report of the same as aforesaid.

IV. If you hear any person cursing or swearing, you are to demand of them the fine; and if they refuse to pay it, you are to require witness against and report it to the court, one-third of which fine is to yourself, and two thirds to the poor.

V. That you narrowly enquire into your neighbourhood who sits at home from the kirk on the sabbath-day, and from diets of catechising; and if they can give no sufficient reason for their so doing, that you cause them to pay the fine, to be applied as aforesaid; and that you take particular notice in your neighbourhood

anent

anent keeping the sabbath-day, and if you find any breach thereof, that you report the same.

VI. You are strictly to observe the country acts anent keeping good neighbourhood, such as that none injure others in their grafs and corn, and rebuke the offenders, with certification if they continue so to do you will inform the court against them; and that they build their dicks sufficiently and timeously under the pains contained in the act.

VII. That tenants do not abuse their lands nor demolish their houses through sloth and carelessness; that you reprove such, and if they continue so to do, acquaint the land master.

VIII. You are to enquire if there is in your neighbourhood any idle vagrant person, and to acquaint such, that they must either betake themselves to some honest employment, or you will inform against them, so as they may be punished and ordered to service; and that the poor be taken care of in their respective quarters, and not suffered to stray abroad; nor are you to allow any beggar or thigger from any other parish to pass through your bounds; and, if they offer so to do, you will secure them till they be punished, conform to the country act.

IX. That you try all the dogs in your quarter, and that none be allowed to keep a dog that can take a sheep, unless he is allowed to keep a sheep-dog by the baillie; and that none keep tear sheep otherways, nor in the act, and that the acts be observed anent punding, hounding, marking and taking of sheep.

X. You are to enquire in your quarter anent all persons using any manner of witchcraft, charms, or any other abominable and devilish superstitions, and faithfully inform against such so as they may be brought to condign punishment.

XI. You are to examine all tradesmen in your bounds, and see that they make sufficient work, and do not impose upon any in their prices; and if you find any such transgressors, that you inform against them, so as they may be punished as the law directs.

XII. Upon any suspicion of theft, two or three rancelmen may take as many witnesses with them, and go to the neighbour parish and rancell, and if they catch a thief, they are to acquaint the Baillie of that parish thereof, who will order the thief to be secured.

And in the last place, as you are intrusted with a power of inspecting the lives and manners of others, so let your own good life and conversation be exemplary unto them for good, and take care you are not found guilty of those faults yourselves, that you are called to reprove in others, for if ye should, your punishment shall be double to theirs; now all these instructions, as far as it is in your power, you promise and swear solemnly in the sight of Almighty God, and as you shall answer to him at the great day, faithfully and honestly to observe and perform.

Act 27. That no person any way impede, maltreat, or abuse a rancelman in the full and free exercise of his office, under the pain of ten pounds Scots money, beside personal punishment, and a greater fine as the offence given shall be found to deserve;

and

and that none refuse to aid and assist a rancelman in the execution of his office when required thereunto, under the like pain of ten pound money foresaid.

Commission and Instructions to the Society for regulating of Servants and Reformation of Manners.

IN a baillie court, the whole house-holders in the parish being present, a list of the most intelligent honest men in the parish whom the baillie designs to erect into a society, being read, and they answering to their names, the following instructions being read to them; the baillie inquires at each of them, if they are willing to accept of and enter into that society, which if they accept, then the baillie asketh the whole house-holders present, if they have ought to object against either of these men, why they should not be admitted as members of that society; and if no objection is offered, and they being all formerly elders, or rancelmen, they are judicially sworn and admitted:

1. You are as often as you see cause, in a civil and discreet manner, to inspect all families within the parish, and at least twice in the year, and to enquire how masters discharge the duties incumbent upon them towards their children and servants; if children are obedient to their parents, and if servants are honest, obedient, and tractable to their masters; and if either are deficient, you are to exhort them to amend under the pains contained in the act there anent; and if thereafter they persist in any irregularity, that you inform against them, so as they may be punished accordingly.

2. You are to enquire what working people are in the family, and conform to the necessary work they have to do, and the necessity of others; and you are at any time to appoint such servants as can be spared, out of one to go to another family that hath absolute need of them; and the officer having charged the servant to remove according to your appointment, under the pain of half a mark, to be paid by the master, or any persons, each night the servant is thereafter kept, which you have power to strafe them for; as also for the fines of cursers, swearers, and wilfull absenters from the kirk and catechising, conform to the act, one half of which fines go to yourselves, and the other half to the poor; and that you allow no idle person to stay in any family that is capable to work; and that you appoint all servants such reasonable fees as they shall deserve, and see them duly paid thereof, conform to the act.

3. That you hear all complaints betwixt masters and servants, and determine betwixt them, conform to justice; and that you allow no servant to enter to or remove from service otherways than according to the act there anent.

4. That any three of your number is a quorum in determining in any matter relating to servants, conform to the acts there anent; and if any difficulty appear, you are to consult the baillie.

5. That you see the acts observed in your bounds, anent putting of children to school, and anent keeping the sabbath-day.

6. You

6. You endeavour to supply fishers with men, conform to the act thereanent, so as no honest man's boat be set ashore for want of men, and that you appoint reasonable fees or hire for those that serve at sea, and see them duly paid; and that if masters maltreat their servants, that you order such servant to those who will use them better.

7. That the whole society meet twice in the year; and any member wilfully absent from that meeting, to be fined in twenty shillings Scots; at which general meetings you are to common upon all the irregularities in the parish, and of what has been done by each of you in his bounds for preventing of immorality, and promoting virtue, and of what may be further necessary for that end; and that your instructions, and the acts you are to be ruled by anent servants, be read in your meetings; and if any of your number shall be found deficient in his duty, you are to admonish him to amend, under the pain of being informed against and turned off with disgrace; and that you endeavour to suppress all vice and immorality, and encourage virtue and piety to the utmost of your power, conform to the acts there anent made, which is your rule; and that you choose your own process at each general meeting; and that all disputes be carried by plurality of suffrages, or most votes.

And, lastly, seeing you are invested with a power to rule over and inspect the lives and manners of others, it will be your credit, as well as your duty, to shew yourselves patrons of piety and virtue; and in case you are found guilty of those faults you are set to reprove in others, you may expect that your punishment will be double to theirs; upon these conditions you enter into their society, and judicially promise in the presence of God Almighty, that you will do your utmost for advancing the glory of God, the public peace, and welfare of the place, where you live, as far as you are capable, conform to the above instructions, as your subscription hereof doth witness. The whole foresaid acts and instructions being published in open court, the judge ordains the authority of the stuart and justiciar court to be interponed thereto; and that the same be recorded in the stuart court books of Zetland, and extracts thereof to be given out by the clerk to the baillies desiring the same, upon payment of the clerks dues. Signed F. G.

A Scheme anent regulating the German and Danish current money passing here.

That forasmuch as German and Danish current money hath for many years by gone passed in Zetland, stoyvers for pence sterling, without any regard to the intrinsic value, or any authority from the government for their so doing; but on the contrary, all foreign money is ordaining by act of parliament to pass only as bullion, according to the weight and finesse thereof, of which it is not to be supposed many here are competent judges, and therefore these foreign species has continued to pass with us under the denominations they bear in the places where they are made, and at the rate of pence for stoyvers, which currency having once

obtained, encouraged many to import that specie, rather than any other, which they most have purchased at a dearer rate, so that now there is scarce any other money to be seen in the country, and although the importation of that kind of money might be beneficial to some particular persons, such as all traders upon Hamburgh, yet it has been very prejudicial to the country in general in several respects, as first the real value of these foreign species being unknown, all goods sold therefore, or bought therewith, was still at an uncertain compute, so that money which serves in every country, as the only rule to ascertain the value of all things that are bought and sold, has been of no such use to us since that unknown specie proved the standard, and passed far above his intrinsic value.

2. It is no small disadvantage to the country to have that money in return for its product exported, which cannot pass in any part of Great Britain, and so cannot therewith pay the land-tax, crown-rent, customs, and excise, nor can they therewith buy victuals, and other things absolutely necessary, which brings many under a necessity to exchange that foreign money at considerable discount.

3. That notwithstanding that foreign money hath long passed here in buying and selling, and is the most, if not the only specie to be seen, yet there is none obliged by law to take it in payment of any sum due by bonds, bills, and others, payable in British money, but as bullion, or any other merchandize, at the pleasure of the buyer, which has proven a hardship upon many, and in the last place, to add no more, those German and Danish current money passeth no where in Europe, save only in the respective places where they are coined, and even there at the greatest uncertainty; and still far below that, which they call their bank money; as for instance, they have of late called down at Hamburgh their 6 stiver pieces to 5 stivers, and their other species proportionably; so that for Zetland to keep up a constant over value upon that money which is so despicable and precarious every where else, were to act a part no less unreasonable, than hurtful and pernicious to itself; for which cause, and as far as possible to prevent these inconveniences for the future, it appears absolutely necessary either to discharge the said foreign species to pass it all otherways than as bullion as the law directs, or that the sum be brought to a par with our sterling money; but taking the last as the most eligible, because the real value of these foreign species cannot be known on account of their various species and no less variety of metals in the composition whereof they consist, so that a trial of that nature as it would be very difficult, so it might prove hurtful to many, but allowing that foreign money to be computed according to the current course of exchange, and that estimate put upon them in those countries where they are coined, which certainly must be their full value, why then just now at Hamburgh 18 mark lubts goes to one pound sterling, which makes the difference betwixt stivers and pence 20 per cent. and even that computation is 5 per cent. less than the common difference betwixt their current and bank-money, although our sterling money has as much intrinsic value as their bank-money, however the foresaid compute of twenty pounds per cent. discount will serve to bring the said foreign species as near to a par with sterling money as is necessary to make it pass at no higher value with us than it does at Hamburgh,

from whence only it is imported here; and that we should keep up their current money so far undervalued by themselves upon a levell with our sterling-money is both unreasonable and unlawful, and therefore the said German and Danish current money ought and should, with the unanimous consent of the country, be ordained to pass at the foresaid discount of 20 per cent. and for making which discount more intelligible, one stiver is $\frac{1}{2}$ of a penny sterling, or ten pennies Scots, six stoyvers is five shillings Scots, and twenty-four stoyvers is one pound Scots, and all other foreign coin to pass here as it doth in any other part of Britain, and seeing the above proposed regulation is founded upon reason, and the statute laws of Great Britain, it is not doubted but this whole country will readily go in thereunto, without any further publick intimation thereof, or authority interponed thereto, to enforce the observance of the same, but the obvious interest of the country in general, and as the same is agreeable to the acts of parliament in that behalf made; but that the whole country may act in concert in that matter, and that the benefit or loss thereby may be equal to all according to their respective concern therein, appoints the steward clark to transmit a copy hereof to each bailie within the country to be intimate to all persons within their baileries, to be by them observed as far as the same is agreeable to the laws of the nation, the good of the country, and the common dictates of reason; and if there is any just objections there against or any needfull amendments to be put thereto, let the same be brought to the next head-court, to be considered of as accords. T. G.

F I N I S.

A LETTER from Captain PRESTON to JOSEPH AMES, F.R.S.

DEAR SIR,

Zetland, Jan. 31, 1743-4.

YOUR favour of the 2d of June came lately to hand. Nothing but a sight of you could equal the pleasure it brought me, with an account of your welfare. I wrote to you ten months since, with some letters to other friends, but these all miscarried; the opportunity by which I send this is very unexpected, for this island has very rarely any correspondence with the rest of the world for the six winter months: for the year may be said to contain ten months of winter, and two of cold, raw weather. I thought it very absurd to hear the inhabitants complain of heat, at the same instant that I complained of cold, and wished for a great coat. They are so accustomed to stormy bad weather, that they will venture to sea in small boats when you would not venture to cross the Thames. I shall give you a short description of this Island.

It is the northernmost belonging to Scotland, set between the latitudes of 60 and 61 degrees; its length is N. and S. 60 miles; its breadth 30, and so divided into headlands, and smaller islands, rocks, bays, inlets, and coves, &c. that you cannot place a compass in any the most inland part of its chart that shall be two miles from the sea, which makes it extremely difficult to make a good chart of the island, of which there is no chart extant worth naming. During my long stay I have devoted some of my (otherwise) idle time in making observations and surveying the place, by which, and suitable informations gained from the inhabitants, I have a sea chart, which I flatter myself may be of great use to other navigators, who are all strangers to the many safe and good harbours in this island, and several capable of receiving many large ships. The land is wild, barren, and mountainous, nor is there so much as a tree or bush to be seen. The shores are difficult, and in many places inaccessible, rude, steep, and iron like, the sight of which strikes the mind with a certain dread and horror, and such monstrous precipices, and hideous rocks, as bring all Brobdingnag before your thoughts. I doubt not but you are now listening out for some account of curiosities of art and nature, which most here are strangers to, and yet this island is not quite barren of; but not having room here, must defer an account thereof till it pleases God I see you.

In winter the sun sets soon after it rises, and in summer it rises soon after setting; so that the night at that season is near as light as the day, and the day in December is near as dark as the night in the winter sets here.

We see every night the Aurora Borealis, I think you call it, but we seamen the Northern Lights, which spreads a broad glaring light over the whole hemisphere, and looks somewhat terrifying to them not used to it.

I shall only mention (lest I tire your patience) that a comet has appeared to us for some time from the West, large and plain to the naked eye.

Yours,

THOMAS PRESTON.

P

Captain

Captain THOMAS PRESTON to Mr. AMES.

DEAR SIR,

Leith, May 12, 1744.

THIS informs you of my safe arrival at this place, where I met your kind letter of no date. I have seen Mr. Ruddiman, who says, you shall hear from him in a few days, but cannot give you much encouragement as to subscription. He promises to give you what assistance he can as to the book itself.

In my last from Zetland, I gave you a short account of that country. I shall now give you some more particulars under that head, just as they occur to my memory. This island is called by the Dutch *Hetland*, by us commonly *Shetland*; but the proper name of it is *Zetland*. Within there are 30 parish churches, and 80 gentlemens houses, besides the towns *Lervic* and *Scalleway*. It was first inhabited by the *Pibts* or *Pifts*, who were driven out by the *Danes*. Christian king of Denmark and Norway, whose daughter, the lady Margaret, was given in marriage to king James III. of Scotland in the year 1463, agreed that the island of Orkney and Zetland should be in the possession of the said king James till he had paid to him 50,000 florins of the Rhine for his daughter's dowry; and Christian afterwards on the birth of a young prince his grandson, called James, renounced his title to the said islands in favour of king James, and they have ever since belonged to Scotland. Zetland lies between the latitude of 60 and 61 degrees, the longest distant but little from the east part of Scotland. The longest day is near 20 hours. I have read a very small print in my chamber at midnight with the windows shut. The air is temperate, considering the country lies so far north, and agrees tolerably well with them that can endure cold and a thick fog. I must own I have not found the winters so cold as in other parts of Great Britain; nor are the summers near so warm, for which indeed the length of the days makes some amends. I have heard that some fishermen have affirmed that at sea they are near the sun's body at midnight; but that is impossible, since the sun on the shortest day in December is four hours above the horizon, and it must certainly be depressed as long under it in June. The winters are more subject to rain than snow. Nor does frost and snow continue so long on the ground as on the main land of Great Britain; yet I have seen the ground wholly covered with snow the second of May last year. The winds during the long winter season continue to blow most boisterously generally between the S. and W. which occasion many shipwrecks. There have been three or four on the island in my time. The land is mountainous and moorish; abounding with moss and heather, under which they dig peat or turf for firing; under that are hard rocks. Their horses are very little, but strong and well mettled, which they call *Shelties*. Their oxen, swine, and sheep, of which last they have plenty, and their cattle of all kinds are small. The price of a horse is a guinea, an ox somewhat less, a sheep half a crown, a sheep sixpence; rabbits they have in some parts of the country. Frogs and toads there are none; nor perhaps any poisonous vermin; there are many otters which they call *Tikes*, and seals which they call

call *Selkes*; sometimes there are many young whales, which they call *Pellack* or *Spout* whales. They run into the creeks, and so entangle themselves among the rocks, that they are cast on the shore, or easily taken. There is plenty of sea weeds, called *Tangle*, growing on rocks, of which may be made kelp for the making of soap. There is plenty of shell-fish of most kinds. Their oysters are the best I ever ate. In the sea they catch cod, ling, haddock, whiting, scate, turbot, and herrings, coalfish, flukes, trouts, &c.

There are many sorts of wild fowl; namely, the dunter goose, clack goose, swans, ducks, teal, whaps, toists, liers, kittewacks, maws, plovers, scarfes, &c. There is likewise the ember goose, which is said to hatch her eggs under her wing. This is certain, that none saw them on the land, or out of the water, and that they have a cavity, or hollow place under one of their wings, only capable of containing a large egg.

There are here very large eagles, which they call *Earns*, which prey upon the young lambs, &c. There is a law in force, that if any kill one of these eagles, he is to have a hen out of every house in the parish wherein it is killed, though it is never demanded.

I do not doubt but there are mines of silver, tin, and lead, in the country, for several sorts of minerals are to be found, and I have been credibly informed that pieces of pure massy silver of considerable bigness have been turned up by the plough; but such treasures are neglected, or not improved, through the poverty or carelessness of the proprietors. In many places marle quarries of excellent free stone, lime stone, and slate, are found, and some veins of marble. Sometimes are cast up by the sea, timber, pieces of wreck, hogsheds of wine and brandy, and sometimes spermaceti, ambergreese, water-sponges, and cam-shells (*Os Sepiæ*) are found on the shore.

There is no forest or wood, not so much as a tree, hardly a bush of any sort in the whole country, except in some gentlemen's gardens, and those never dare to peep over the garden-wall for fear of the north wind.

The country is so divided by the sea, that it cannot be expected there should be in it any rivers, yet there are many brooks and little runs of water called *bourns* and *locks*, or lakes, many of which afford trouts, and I have eaten excellent cod fish that have been taken in one of these locks or lakes of perfect fresh water, which have been very near the sea.

The people are generally civil, sagacious, of a ready wit, and of a quick apprehension, piously inclined, much given to hospitality, civil and liberal in their entertainments, and excreting kind to strangers, which indeed I may say from experience, for I never met with more civility in any part of the world. They are generally of a dark complexion, personable and comely enough. The women are lovely, and the gentry go well dressed, are genteel in carriage, well behaved in company, and smart and pleasant in conversation, even to a miracle, considering they live in such a remote island, which has so little correspondence with the rest of the world. They delight more in the conversation of men than in the common tittle-tattle of their own sex. They are strangers to plays, operas, masquerades,
assemblies.

assemblies, balls, set visiting days, extravagant dress, gallantry, &c. and are free from those innocent fashionable vices, which so much disgrace their betters. They are modest virgins, and virtuous wives: for adultery is not known among them. Among the common sort fornication sometimes happens; but their constancy is such, that they are sure to marry one among another; nevertheless, if a child happens to come in less than 9 months after marriage, they are both obliged by the law of Scotland, to do penance in church. This heinous sin the pious priests call ante-nuptial fornication. The name is of their own coining, and so is the sin too for aught I know, for I think it is somewhat odd that a man must suffer the censure of the kirk for going to bed to his own wife; however, if they find out new sins, they should invent new names.

The country is most commodious for navigation, which makes me wonder it has so long been neglected that we have not even so much as a map of it. There are more than 20 safe harbours of easy access capable of receiving large ships, the most remarkable of which are *Lerwick* or *Brassa Sound*, *Dura Voe*, and *Balta Sound*, on the West side of the country. The coast is all high and bold, and may be seen many leagues from the sea. There are no sands round the whole island, and but few sunken rocks, and those near the shore, except one dangerous shoal on the West side called *Have de Grind*, and some rocks on the N.W. above water, both which as well on the whole island, I have exactly surveyed, and I think without vanity I can say that I can produce a very good map of Zetland, which I believe may be of great service, especially in war time.

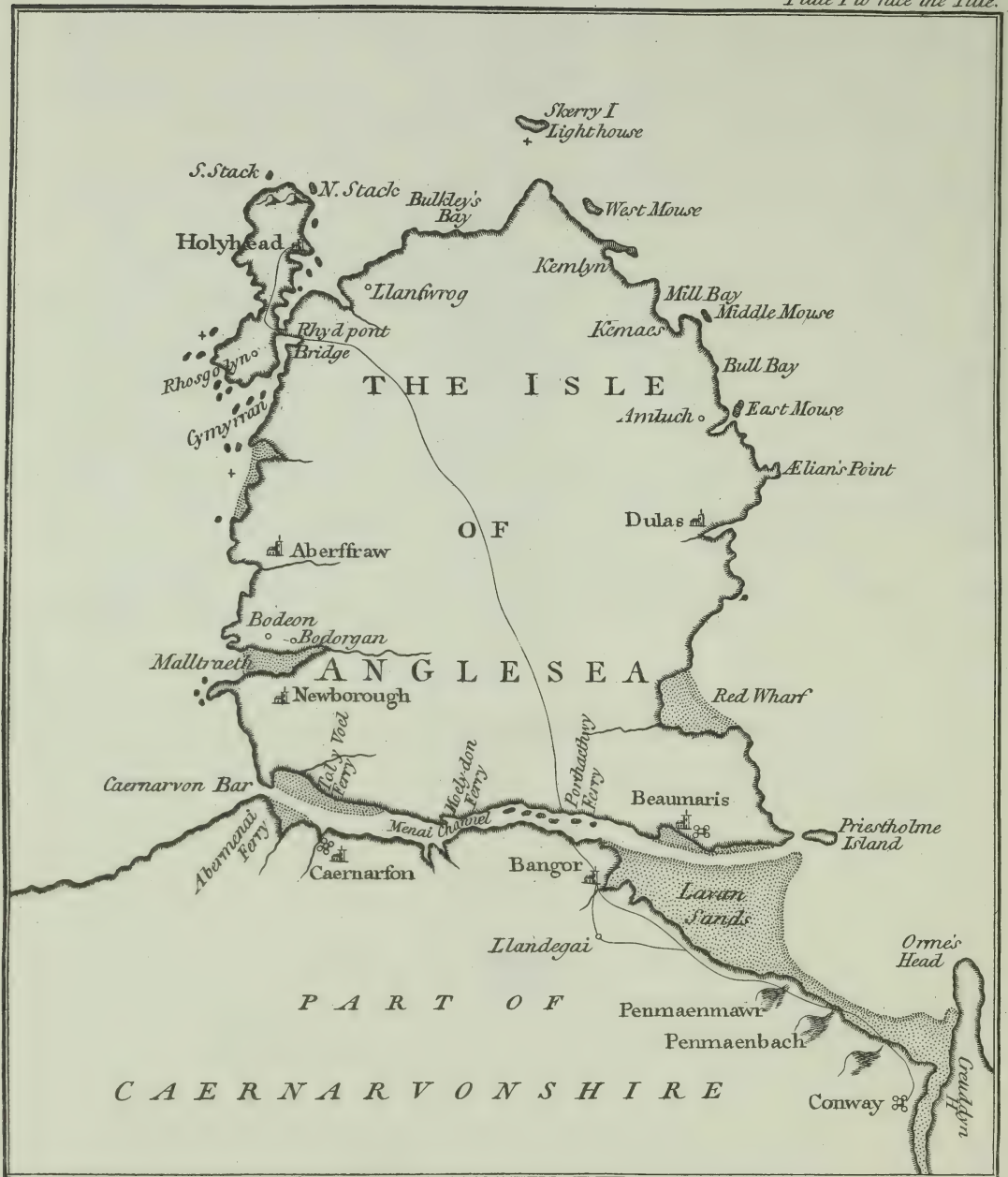
I fear I have tired your patience with my long incoherent epistles; I shall therefore conclude with my kind love to all friends;

And am, dear SIR,

Your most affectionate humble Servant,

THOMAS PRESTON.





B I B L I O T H E C A
T O P O G R A P H I C A
B R I T A N N I C A.
N° X.

C O N T A I N I N G

A fhort Account of H O L Y H E A D,
in the Ifle of A N G L E S E A.

L O N D O N,
PRINTED BY AND FOR J. NICHOLS,
PRINTER TO THE SOCIETY OF ANTIQUARIES;
AND SOLD BY ALL THE BOOKSELLERS IN GREAT BRITAIN AND IRELAND.
MDCCLXXXIII.

[Price One Shilling and Six Pence.]

AMONG the various Labours of Literary Men, there have always been certain Fragments whose Size could not secure them a general Exemption from the Wreck of Time, which their intrinsic Merit entitled them to survive; but, having been gathered up by the Curious, or thrown into Miscellaneous Collections by Bookfellers, they have been recalled into Existence, and by uniting together have defended themselves from Oblivion. Original Pieces have been called in to their Aid, and formed a Phalanx that might withstand every Attack from the Critic to the Cheesemonger, and contributed to the Ornament as well as Value of Libraries.

With a similar view it is here intended to present the Publick with some valuable Articles of BRITISH TOPOGRAPHY, from printed Books and MSS. One Part of this Collection will consist of Re-publications of scarce and various Tracts; another of such MS. Papers as the Editors are already possessed of, or may receive from their Friends.

It is therefore proposed to publish a Number occasionally, not confined to the same Price or Quantity of Sheets, nor always adorned with Cuts; but paged in such a Manner, that the general Articles, or those belonging to the respective Counties, may form a separate Succession, if there should be enough published, to bind in suitable Classes; and each Tract will be completed in a single Number.

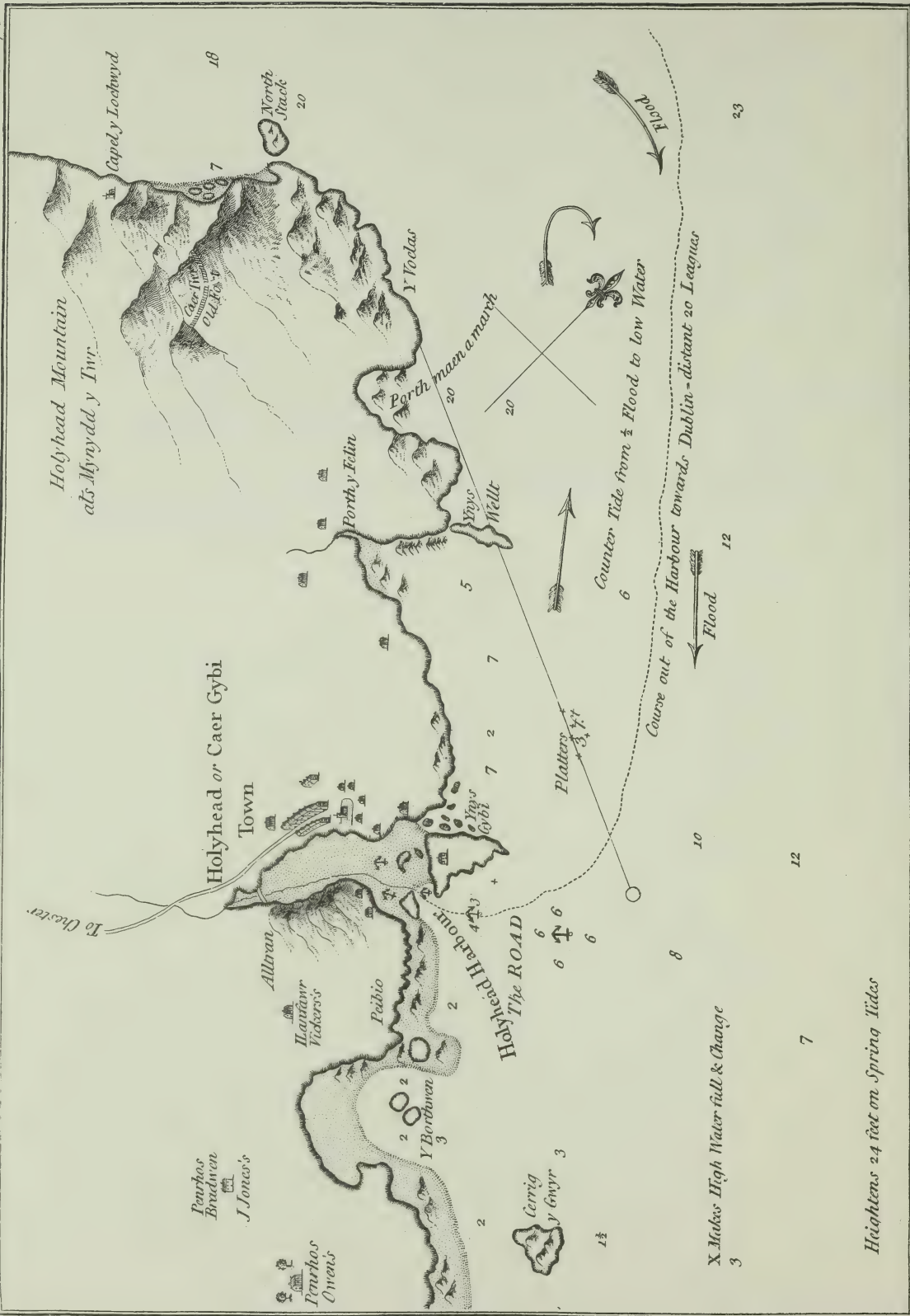
Into this Collection all Communications consistent with the Plan will be received with Thanks. And as no Correspondent will be denied the Privilege of controverting the Opinions of another, so none will be denied Admittance without a fair and impartial Reason.

* * Plate I. to face the Title. Plate II to face p. 1.

A
S H O R T A C C O U N T
O F
H O L Y H E A D,
I N
The Isle of A N G L E S E A.

A D V E R T I S E M E N T.

For this short Account of HOLYHEAD the Editor is indebted to the kindness of the Rev. Mr. JOHN PRICE, keeper of the Bodleian Library, to whom he takes this opportunity of making his acknowledgements.



Heightens 24 feet on Spring Tides

H O L Y H E A D.

HOLYHEAD, in Welsh *Gaergybi*, is a small sea-port town, situated near the extremity of an island in the Irish sea, joined to the North West part of the Isle of Anglesey, by a stone bridge of one arch, called *Rhyd-pont* bridge, lying partly in the hundred of *Talebokion*, and partly in that of *Llivon*. It has a small market weekly on Saturdays for butcher's meat, fish, fowl, &c. but little or no corn. The parish is about five or six miles long, and two or three broad, divided into seven parcels or hamlets, *viz.* 1. The *Town*. 2. *Llanfawr*. 3. *Tref Eingan*. 4. *Creccryst*. 5. *Tre' Seifion*. 6. *Penrhos-y-Feikw*. 7. *Ifallt*. It is bounded on all sides, excepting the South West where it joins *Rhosgolyn* parish, by the sea.

It was probably called *Holyhead* from the great number of chapels or places of religious worship that it contains ; but its most ancient British name that we have an account of is *Llan y Gwyddyl*, probably *the Irishmen's beach* or *shore**, and not *church*, the sea-shore being at this day called here *Llan-y-Mor*, instead of *Glan-y-Mor*, which is used in all other parts of Wales, and hence probably too *Llanfawr*, in this parish. It was so called from the Irish rovers who used to land here when they made incursions into *Mon* or Anglesey, and erected some fortifications here to protect their shipping.

* *Llan* is the general name for a church in North Wales ; but this seems to be so called before a church was built in this place, which gave me occasion to make this conjecture.

But its most usual name is *Caer-Gybi*, anciently wrote *Caer Kebi**, that is, *Kebii Castrum*, so called from Kebius or Kybi a bishop (as some say), who was seated at this place, and to whom the church is dedicated, whose festival or wake is on the 5th of November. Primate Usher says, that Kebius or Kybi, the son of Solomon duke of Cornwall, was consecrated bishop by Hilary of Poitiers, about the year 364, and that he was seated in Mona at a place called from him *Caer Gybi* to this day.

But this must be false, if there is any credit to be given to the genealogy of our British saints, which says, that *Selyf* or *Solomon*, the father of *Kybi*, was the son of *Geraint*, the son of *Erbin*, the son of *Constantine* duke of Cornwall, nephew and successor to king Arthur, and was contemporary with *Gildas Badonicus*, who flourished about 550. What might occasion his mistake might probably be, that our British *Ælian*, surnamed *Garmaid*, or *The Bright*, called in Latin *Hilarius*, is very often confounded with Hilary of Poitiers. This *Ælian*, or British Hilary (who was a man renowned for his sanctity, whose miracles were in after-times so cried up, that his shrine is even to this day in some repute for cures said to be wrought by him), was a contemporary of Kybi's, and, if we believe tradition, was used to meet him frequently at a place called *Llandyfry-dog*, to confer about matters of religion, &c. but was no bishop, as far as I can find. However, it is agreed by all writers, that this place took its name from *Kybi*, excepting by Baxter in his Glossary, who calls it there *Corguba*, from the monk of Ravenna's *Consula*, and derives it from *Caer Coib*, i. e. "Munimentum Cohortis; " de Latino enim *Copie* Ibernorum *Coib* pro turma vel cohorte " est; sunt etiam in arce montis veterum castrorum vestigia. " Quæ de nescio quo minorum gentium sanctulo crepant superstitiosi quisquiliæ sunt."

* Kebius or Kebi is said to be bishop of Anglesea, and his seat at Holyhead at this time, A. D. 354. See Rowland's *Mona Antiqua*, p. 183.

Holyhead was formerly a college or convent, founded by *Maclgwn Gwynedd*, king of Wales (called by Gildas Maglocunus) as I have read in an old MS. “*Maclgwn Gwynedd a adeiladodd “Glaswrddy Bangor, a Chlaswrddy Penmon, a Chlaswrddy Caer- “Gibi;” i. e. Maclgwn Gwynedd built the college of Bangor, the college of Penmon, and the college of Holyhead.—This college consisted of a Penclas (i. e. Pen-Colas, Præfectus Collegii), who was one of the three spiritual lords of Anglesey during the government of the Welsh princes, the other two being the arch-deacon of Anglesey, and prior of Penmon. The Penclas held a small number of subordinate members, but how many, or what denomination they were of, I can give no further information than what is contained in the following letter from Mr. Rowland to Dr. Tanner, in answer to some queries relating to this place: “I could never hear of any chartules of this church remaining “in private hands, unless there be in Jesus College, Oxford, to “which this church now belongs. Indeed the public seal of the “convent I had once in my possession, and is at present (I believe) “in the college*. It was of hard metal, taken out of a turbury “near Holyhead, and had these words about it in ancient letters, “Sigil Rectoris et Capituli Eccleæ de Kaer Kibi. By which we see the “chief was styled rector, but in the Welsh tongue *Penclas* or *Pen “Colas*, viz. the head of the college, whereof one, called *Howel “Penclas*, was once a very noted person in this country. The*

* This college is said to have been founded by *Hwfa ap Cyndelw*, lord of *Lys Llivon* in Anglesey, and one of the 15 tribes who lived in the time of *Griffith ap Conan* prince of North Wales, and *Owen* his son, or the former part of the twelfth century. It was certainly in being before 1291, because rated in the Lincoln taxation. See *Tanner’s Notit. Monast.* 1744, p. 699.

Anno 1553, here remained in charge these pensions: To *Lewis ap John ap Jenkin*, *Henry Standishe*, *Lewis ap John Lloid*, *William Owen*, *Hugh Morgan*, *John Vaughan*, *Hugh Wood*, *Roland Bucheley*, *John Robyns*, *Lewis Newburgh*, *Roland Mearick*, and *Thomas Buckley*, 1*l.* each. Sum total of the annual payment of the county of Anglesea 12*l.* See *Willis’s Mitred Abbies, &c.* vol. II. P. 303.

“ chapter consisted, and were called in deeds by the name and
 “ style of canons and prebendaries, but of what number I know
 “ not; I suppose they were not above six or eight. I have read
 “ it in some of the British MSS. that *Hwfa ap Cynddelw* was
 “ founder of those canons (secular I believe they were); but I
 “ have by me a deed of the advowson of the nomination (*Electio*
 “ *Jur'e* 'tis called) of two of those canons, annexed to a township
 “ called *Tre' Lowarch*, which was formerly the lands of *Llowarch*
 “ *ap Bran*, lord of Menai; by which I conceive the said Llo-
 “ warch had at least founded those two canonries. And the ex-
 “ tent of North Wales in *Villa Tre' Lowarch* mentions the same
 “ advowson, but calls them prebendaries, which indeed are not
 “ much different from secular canons.”

Mr. William Morris, comptroller of the customs at Holyhead, says, that he remembers to have read in an Extent of North Wales, which he presumes to be that taken 26 Edw. III. that there were two prebendaries at Holyhead annexed to *Tre' r Gof* in the said parish.

Their maintenance consisted of the tithes of the several parishes of Holyhead, Bodedern, Llandrygarn, and Bodwrog, valued at 24*l.* 2 Henry VIII. granted after the dissolution to Francis Morris and Francis Phillips, from whom it came to Dr. Thomas Gwyn*, who gave the impropriation to Jesus College, Oxford, for

* Col. 800. ad Thomas Gwyn.] He was the younger son of ap Rees Wynn of Bodfeddan, paternally descended from Hwfa ap Kynddelis, one of our 15 tribes, whose hereditary office in the time of our British princes was, to assist the bishop of Bangor to place the crown on the prince's head on the coronation day, and to have the apparel the prince was crowned in for his fee. The wife of John Prees Wynn, and Dr. Gwyn's mother, was Margaret Woods, the daughter of William Woods of Llangwyfen and Talyllin, and Ellen Owen, of Bodeon, his wife, which Woods was paternally descended from Richard Wood, of Woodhall, in Lancashire. Dr. Wynn was born at Bodfeddan, in the parish of Llanbenlan, in Anglesea. His elder brother was Rhees Wynn, serjeant at law, whose daughter and heir was married to Sir Justinian Lewyn, knt. and LL.D. He bestowed on Jesus College the

for the maintenance of two fellowships and two scholarships, about the year 1648; so that at present the college nominates the curate of Holyhead, to whom it pays 50*l.* a year, and 40*l.* to curates for serving the other churches.

Holyhead church stands above the harbour, within an old quadrangular fortification, with a bastion at each corner, built about the year 450 by *Caswallon Lawbir* (*Cassivelaunus Longimanus*), son of *Eneon Urdd*, son of *Cynedda Wledig*, who was sent by his father to fight the Irish Picts, who a little before had invaded the island of *Mona* or *Anglesea*, and near a strong fort which the inhabitants called *Din Dryval*, had slain many of the islanders at a place called afterwards from them *Corrig y Gwyddyl*, Irishmens stones, to this day. Upon this *Caswallon* came, fought, and routed them, and pursued them to Holyhead, where their fleet lay; here they engaged a second time, when *Caswallawn* with his own hand slew *Sirigi* the Irish general, and fortified the place with a wall, which is called *Mur Caswallawn* (*Caswallawn's* wall) to this day, and cleared the island of these lawless invaders. There is a tradition that *Caswallawn* fettered his men, that is, coupled them two and two with their horses' fetters, probably to engage them to fight resolutely, and to conquer or die. However uncommon this behaviour of *Caswallawn* might be, or

the improper rectory of Holyhead, to the intent that one quarter of the profits of it should be for the maintenance of a preacher, another quarter for two reading curates and the poor, and the other two quarters, or one full half, for the maintenance of two fellows or two scholars, as I take it, to be chosen out of the Isle of *Anglesea*, if such be found, and in default of such, out of the diocese of *Landaff*. The rectory when he purchased and bestowed it was well worth 200 *lib. per annum*, but by the poverty of the country, and some other circumstances, it is now set for about 120 *lib.* if so much. See *Bishop Humphreys's Additions to Athenæ et Fasti Oxon. in Tho. Cui Vindiciæ Antiq. Acad. Oxon. vol. II. by Hearne, p. 625, 626.*

The great tythes of Holyhead belong to Jesus College, Oxford, by the gift of *Rice Gwyn, esq. A. D. 1648.*

N. B. The penceles or president of the collegiate church at Holyhead was one of the three spiritual lords of *Anglesea*, his tenure being baron or knight's service. See *Tanner's Notit. Mon.-p. 699.*

whatever advantage he might propose to himself by it, yet it is not, it seems, the only instance among our countrymen; for in the book called "*Triodd Ynys Brydain*, or the *Triades*," we read thus: "Tri Hualogion Teula Ynys Brydain, Teulu Catwallawn" (Cafwallawn) Lawhir, addodafant Hualeu eu Meirch ar eu "Traed pob deu o naddunt yn ymladd a Serigi Wyddel yng "Carrig y Gwyddyl y 'Mon. A theulu Rhivallon mab Urien yn "ymladd ar Saefon. A Theulu Belyn o Leyn yn ymladd ag "Edwyn y' Mryn Cenau, *alias* Edwyn, yn Rhos." That is, The three fettered tribes (troops) of Britain. The tribe (troop) of Cafwallawn, the Longhanded, who put their horses' fetters about their own feet every two and two of them, when fighting with Sirigi the Irishman at *Cerrig y Gwyddyl* in Mona; the tribe (troop) of *Rhiwallon*, the son of *Urien*, when fighting with the Saxons; and the tribe of *Belyn* of *Llein*, when fighting against Edwyn upon Cenau (*alias* Edwyn's) hill in *Rhos*.

But to return: Holyhead lying so convenient for the Irish rovers to land in, was, we may suppose, frequently visited by them in most of their incursions, and accordingly we find in Powel's History of Wales, p. 61, that the Irish in the year 958, when *Iago* and *Ieuaf* jointly usurped the government of North Wales to the prejudice of their elder brother *Meyric*, landed in *Mon*, under *Abloic* king of Ireland, and having burnt Holyhead, spoiled the country of *Llyn*.

That Holyhead was deemed a place of consequence to the safety of Anglesea, is further evident from an old fortification on the top of Holyhead mountain, called *Caer Tŵr*, q. d. Turris Munimentum. This is an old stone wall without mortar, surrounding the apex or summit of the highest hill, with the remains of a small turret in the midst, from whence it had its name. It is of a pretty great extent, and in some places about 10 feet high at this day, with a well of excellent water within it. There are
several

several remains of old fortifications of the same nature in divers parts of Wales, especially upon hills near the sea.

The other monuments of antiquity observable in this parish, are the Drucidical Altars on a field belonging to *Trevignedd* farm, called *Llechbau* or flat stones, and the field is called *Caer Llechbau*. These were three *cromlechs*, or a *cromlech* and *stone chests* united together; but the upper stones are now fallen off from the perpendicular ones that supported them. These lay unnoticed, till they were observed by Mr. Aubrey, from whose papers the editors of Camden have inserted them in their additions to Anglesea. There is another single *cromlech* between the town and the mountain, called *Corten Arthur* (Arthur's Quoit), which is a name given these *cromlechs* by the vulgar in several places, who attributed all surprizing works, which they could not account for, to king Arthur.

The other remains of antiquity are the chapels or places of religious worship. These were five in number besides the parish church, and from this circumstance it was probably that the English called it *Holyhead*, ἱερον αἱρον.

The parish church was rebuilt in the form it now stands some time in the reign of Edward III. except the chancel, which was rebuilt about the beginning of this century. The porch and steeple seem very ancient, and have several Gothic ornaments, and on each side of the door two coats of arms, viz. a chevron between three (birds probably) Cornish choughs, differing but a little from that of Llowarch ap Bran abovementioned, who is reported to have founded two canonries here, which was, Argent, a chevron between three Cornish choughs, proper, with Ermine in their bills. On a stone on the out-side of the North isle is this inscription in old characters, "Sancte Kebie ora pro nobis." They shewed also the print of Kybi's foot in a rock by the East end of the chancel, till it was lately destroyed by Mr. Ellis, fellow of Jesus College, Oxford, then curate of this place.

There

There was a chapel inclosed within the same fortification with the parish church on the South side, erected over the grave of *Sirigi* the Irish general abovementioned, which was in after-times endowed with revenues distinct from the collegiate church, which it enjoys to this day, as appears by the college leases. This is sometimes called *Egkweys y Bedd*, the grave church; but in some of our ancient MSS. *Capel Llan y Gwyddyl*. In removing the ruins of this some years ago, the workmen found a stone coffin or chest under an arch in the North side of the chancel, with human bones of a prodigious size in it. Here formerly was the shrine of *Sirigi*, who was canonized it seems, formerly very much resorted to. This was carried off by some Irish rovers, saith an old Irish Chronicle, and deposited in the cathedral of Christ Church in Dublin, from whence, after the Reformation, this shrine, with many others, was removed to, a place not far from Dublin, where the reliques that could be preserved from utter ruin are still carefully kept by those of the Romish persuasion. This chapel was lately converted into a public school, by *Edward Wynne*, of *Bodewryd*, in this county, LL.D. who gave by bond, dated Nov. 25, 1748, the sum of six score pounds for the endowment of it, the interest thereof to be paid annually on the 24th of November, to the school-master, for teaching six poor boys of the town to read and write, and appointed one *John Edwards*, a native of *Bangor*, to be the first master there, who resigning in 1761, it was given to *Lewis Owen*, son to the surveyor of this port.

The other chapels are *Capel y Locbwyd* in Holyhead mountain, now in ruins. *Cappel y Gorlles*, in the East end of which was a famous spring called *Tfynuon y Gorlles*. *Capal Lilo*, by some called *Ilo*, near *Llech Nest*, now converted into a farm house. *Capel Gwyn Geneu*, in the hamlet of *Creceryst*, applied to the same use. *Capel St. Tfraid*, built on an artificial barrow or tumulus by the sea side, on a sandy

sandy beach called *Tywyn y Cappel*, about two miles and a half from the town, nigh the high road to Chester. The Popish legends say, that *St Tfraid*, a virgin of remarkable sanctity, sailed from Ireland to this place on a green sod, which upon her landing immediately grew into a hillock, on which this chapel was built and dedicated to her. Here we must observe by the bye, that there are several churches dedicated to this female saint, which all lay claim to the same miracle, *viz.* *Llan St. Tfraid*, *Glan Conwy*, and *Llan St. Tfred*, in Cardiganshire in particular, which last place one of our poets seems to believe to have been the real spot where she landed, when he says of her, among other miraculous acts,

“ Da y nosiaist hyd yn Nyfi

“ Dull Duw ar dy Fantell di.” *i.e.*

Ad Dobii fluentia natâsti pulchre !

Divina penulæ tuæ inerat imago.

From hence we see, that he gives the preference to *Llan St. Tfred* before our *Capel St. Tfraid*; but this may be remedied, if we suppose, that after sailing in this vehicle from Ireland to Holyhead, which was the first land that she could make, she might also with the same ease visit other parts on the sea coast, and work the same miracle over again for the conviction of unbelievers, especially as she was a female saint, and might possibly have a little tincture of that vanity which is so peculiar to that sex.

The other public structures in this parish are of a more modern date, *viz.* a salthouse that was erected on an island in the entrance of the harbour, called *Ynys Gybi* (Kybi's Island); and an act was passed in the sixth year of queen Anne's reign, to permit rock salt to be used here to strengthen sea water. The place is well situated for the purpose, but for want of proper management, the work fell to decay, and has not been since attempted, so that the house is at present (1762) entirely in ruins.

On an island called *Sherries*, in Welsh *Tnys y Moelrhoniaid*, or Isle of Seals, about three leagues N. N. W. of Holyhead, and about half a league from the main land, there is a lighthouse, erected at first by one *French*, a merchant of Dublin, by patent; but by an act of parliament passed in 1730, there is a duty of a penny a ton laid on British vessels passing it, or crossing the channel, and two pence on every foreigner. This light may be seen seven or eight leagues off, and is of great use to navigation. In this island, as also at the South Stack near Holyhead, puffins breed in plenty, which come in a surprizing manner in a flock in the compass of a night, and when their season comes, depart in the same manner.

Nor must I omit the improvement, which the inhabitants, by the assistance of passengers, who contributed generously, made in the high road that leads to Chester throughout this parish, which is here taken notice of, as it is the first of the kind of any extent in the whole island of Anglesea. The chief seats of the gentry in this parish are *Penrbos*, Miss Margaret Owen's, daughter and heiress of Hugh Owen, esq. son of Robert Owen, esq. son of John Owen, who married Margaret, the daughter of

Wynne, of Bodewryd, by whom (her brother's male issue failing) the estate of Bodewryd is united to that of Pedrhos. This John Owen was descended from *Hwfa ap Cyndaelw*, one of the fifteen tribes of North Wales, who lived in the time of *Llewelyn ap Iorwerth*, prince of Wales 1170, and bore Gules, a Chevron between three Lions rampant, Or. *Trejarddur*, John Williams, esq; *Llanfawr*, Mr. William Vickers's; and *Penrbos Bradwen*, Mr. John Jones.

As for old arms, urns, coins, &c. there have been none found here of late years; neither are there any manuscripts in the parish, excepting what are to be found in Mr. William Morris's possession. He has made a pretty good collection of Welsh MSS.

some few of them ancient ; the rest transcripts, made by himself, of some of the most valuable ones in these parts ; he has also several other curiosities respecting the natural history of birds, fishes, &c.

This parish being of so small extent, and surrounded almost on all sides by the sea, gives rise to no rivers, and but few small brooks ; it is, however, well supplied with springs, to some few of which are ascribed some cures from the name of the saint that they are called after.

The soil in general is rocky, especially towards the mountain, which is the highest hill in all Anglesea, with fertile little spots interspersed, which produce plentiful crops of wheat, rye, barley, oats, hay, &c. ; and in the year 1747, 22000 bushels of grain of different sorts were shipped out of this harbour, and the quantity is now much increased from the considerable improvements by liming, sanding, and marling, carried on daily in this parish and the neighbourhood ; soap-boilers waste is likewise found to be very good manure.

The other natural productions of the place are butter, cheese, bacon, wild fowl in abundance, oysters, lobsters, crabs, razor fish, shrimps, prawns, herrings, cod fish, whiting, whiting pollacks, blackings, sea tench, turbot, soles, flounders, hays, and other fish in plenty. About the island of Skerries likewise are plenty of all these sorts of fish, and in summer blackings or coal fish are in such plenty here, that the lightmen standing upon the point of a rock have frequently taken them up in baskets as they passed by.

Here and in several other maritime parts of Wales, is a plant called by the natives *Gwymmon*, Anglicè *Targ*, growing on the sea rocks, of which they make great profit, by burning it into a kind of salt called *Kelp*, one of the ingredients in making glass ; it is also used in allum works.

Sampier likewise grows in great plenty here on the rocks above the sea, which are almost inaccessible, but by ropes, &c. and answer well the description given by Shakespear in his account of Dover Cliff.

But the chief support of the inhabitants arises from the intercourse of travellers between England and Ireland; for Holyhead is the great thoroughfare between both kingdoms, by reason of the shortness of the passage, it being but 20 leagues over at this place, and the conveniency of the packets which carry the mails being stationed here. These are three stout vessels of about 100 tons burthen each, contracted for by government of one Mr. *Thomas Blair*, a merchant of Dublin, for 300*l.* a year each, and 150*l.* allowed for accidents. He has all the benefit arising from the conveyance of passengers to himself; the price of a bed in one of the cabins is half a guinea, walking upon deck or in the hold half a crown. One of these packets sails for Dublin with the English every Monday, Wednesday, and Saturday; and returns from thence with the Irish mail on Sundays, Wednesdays, and Fridays, wind and weather permitting.

The harbour of Holyhead is found to be very convenient for the Northern trade when taken short by contrary winds; but as it is only one of the rough draughts of nature (man having never given it a helping hand), it is not a good lying place for large shipping on North West winds.

But if it was repaired, and warehouses built, it might be a convenient place for the Irish merchants to import their goods that pay English duty, being within seven or eight hours sailing of the coast of Ireland, and the merchants might have the conveniency of coming over in the packets to see their goods landed.

The port of Holyhead is but a creek or member of Beaumaris harbour, and the officers appointed here for the management of his majesty's customs, transmit their account monthly. They
are

are a collector, Lewis Lloyd; a comptroller, William Morris; a surveyor, Owen Davis; and four tide-waiters, or boatmen.

At a place called Borthwen, near Penrhos, they dig up from under the sand at low water mark a kind of black earth or turf, which they dry and burn; this is often found full of branches of trees, nuts, and seeds of plants preserved entire, though they are dug from the depth of several yards from the surface at low water mark, and in the time of flood washed over by the sea.

In this neighbourhood there is a large vein resembling white Fuller's earth (see Pennant's present to the Museum, N^o 32, I believe), and another of yellow, which perhaps might be useful to trade.

There is a great variety of spars and chrystals in the mountain, but no ore of any kind has been as yet discovered there.

The inhabitants in general are healthy and long lived, enjoying a keen wholesome air, untainted with infectious vapours, 80 or 90 years of age being very common amongst them. There are about 300 families in the parish, and the whole number of souls may be about 13 or 1400.

The parish register for 10 years past stood thus :

	Buried.		Total.	Married. Couples.	Christened.		Total.
	Males.	Females.			Males.	Females.	
1751	9	15	24	8	22	20	42
2	22	18	40	13	14	25	37
3	9	10	19	17	19	25	44
4	10	13	23	8	24	16	40
5	8	14	22	9	12	22	34
6	13	16	29	9	24	22	46
7	17	12	29	4	17	20	37
8	14	24	38	11	21	23	44
9	13	9	22	15	24	20	44
1760	5	13	18	8	27	22	49

Mr.

Mr. William Morris, the comptroller, has a small well-chosen collection of ores, minerals, formed stones, and other fossils. He is also well skilled in botany, and most branches of natural knowledge, of whose collections I may probably give some account hereafter. The MSS. have been already mentioned in p. 10.

N. B. When I say that no corn is sold at Holyhead market, it must be understood that it is bought up here, and in most other places in Anglesea, for exportation, in their own granaries, by persons commissioned by several cornfactors for that purpose.

NOTES communicated by a Correspondent, who visited
HOLYHEAD 1770.

An arm of the sea divides Holyhead from the rest of Anglesea, but except in very high tides is generally passable. At the end of the sand and tide road is a very long stone bridge, called *Rbyd Pont*, with a cluster of houses. Small vessels come up hither. A little further on a little hill is the shell of a ruined chapel, called *Capel St. Fraid*, of which the people can give no other account, except that stone coffins and human bones had been dug up in it within memory. The top of the hill is walled round for a burying place to it. In Speed's map it makes a figure. In later ones it is spelt *Llanfurfryd*, now *Roscoll*.

About three quarters of a mile North of it, on the hills that overlook Holyhead, are remains of a double Cromlech, which seems to have been considerable, and stands in the same direction with the others in the island at *Plasnewydd* and *Boddedern*. It is called *Trechen tre rechthro*. The tradition about it is, that a very profligate debauchee, owner of *Trergow* and *Pentros*, committed the greatest excesses at these stones with his mistresses, and at last, in a fit of rage and passion, murdered them there. For this action he was obliged to fly, and died in obscurity and exile, having consumed his estate, and suffered it to waste by his neglect and absence. In a field below these, to the West, is a single pillar of one stone, terminating almost in a point, and about three yards high.

From this hill appears the island of *Skerries*, with a lighthouse. This island is about three leagues N. N. W. of Holyhead, and half a league from the main land. It is called in old British MSS. *Ynit y Moelrhoniad*, from the great number of seals seen about it. It once belonged to the see of Bangor, and being unjustly detained by Henry VIII. was recovered by bishop Denys with a
party

party of soldiers. The lighthouse on it was erected first by a private gentleman by patent; but after the expiration of the term, an act of parliament passed 1730, subjecting every British vessel to a duty of 1*d.* *per* ton, and every foreign 2*d.* The lighthouse may be seen eight or ten leagues off, and is of infinite service to navigation; for before its erection scarce a winter passed without a shipwreck and loss of lives; for the surge beats against it with incredible fury, and often prevents any communication with the lightmen for some weeks. Puffins resort to this place in great plenty, coming and departing in one flock in one night. Here is also plenty of fish, as whittings, pollocks, &c. and in summer time blackings or cole fish, which the fishermen frequently take up with baskets as they pass by*.

HOLYHEAD, so called from the mountain at the back of it, about one mile and a half distant, and a mile of perpendicular ascent, is named by the Welsh CAERGYBI, or the *Castle*, or *City of St. Kibi*. It is little more than a fishing town, rendered considerable by being the place of general passage to Ireland, few persons except the troops, and those connected with them, going by Park Gate. Here are three good inns, the Eagle and Child or the English house, the Welsh Head or Irish house, kept by the widow Arthur, and remarkably neat, and lord Boston's arms or the Welsh house. These houses, though by the names they seem to be appropriated to particular people, divide the business between them, especially the two first. The tide comes close up to the houses, and frequently overflows the parapet. Six packets attend in the harbour, and go every day in the week except Thursdays, and return the next day. This passage is performed at an average in about 12 hours, for which passengers pay half a guinea; the shortest passage has been six hours. All the bread used here comes from Dublin, 13 six-penny loaves to the dozen,

* Hist. of Anglesea, 1775, 4to. p. 39, 40.

and a supply has frequently been wanting for a week in bad weather. Here is no fresh water in the village, except from rain. A bath and assembly room were erected 1770, in hopes of alluring company from Ireland.

Near the extremity of the village stands the church, in which St. *Kebius* founded, A. D. 380, a small monastery. He was son of a duke of Cornwall, and pupil to Hilary bishop of Poitiers, with whom he lived 50 years; and being then consecrated a bishop for his distinguished zeal against Arianism, he settled here, and gave the name of his master to *Hilary Point**.

His monastery was succeeded by a cell of prebendaries, founded by one of the lords of Anglesea in the beginning of the twelfth century, certainly before 1291, when there was a provost†, two chaplains, and a fourth person‡. Edward III. 1327, gave the provostship of his free chapel at *Castle Cube*, in Bangor diocese, to his chaplain, Thomas de London§. Bishop Tanner mistakes Newcourt's words here, as if this chapel was “*in the castle of this place*,” for then the whole town must have been a castle; but the bishop makes the same mistake about the cathedral at Old Sarum||, supposing it to be *within* the castle; whereas Leland** expressly says it was “*in the West part of the town*,” and Matthew Paris††, “*castro comitis vicina*.” Wikes‡‡ calls it “*eccliam castri veteris Saresbery*,” and Malmesbury§§ says it was in a castle like a city. In the chapter acts of bishop Osmund, about the time of its translation, it is said to be *regie munitionis ambitu circumscripta*||||; but the bishop's and canons houses were not within (*intra*), but below (*infra*) the castle***.

But to return : The church at Holyhead is built in form of a cross, with an embattled tower at the West end, and a South

* Fuller, Church Hist. p. 26.

† Tanner calls him the *Penclees*.

** Itin. III. 62.

§§ De gest. Pontif. II. 142. b.

*** Pat. 5 E. III. p. 1. m. 2.

† Lincoln Taxation, in Willis Cath. 201.

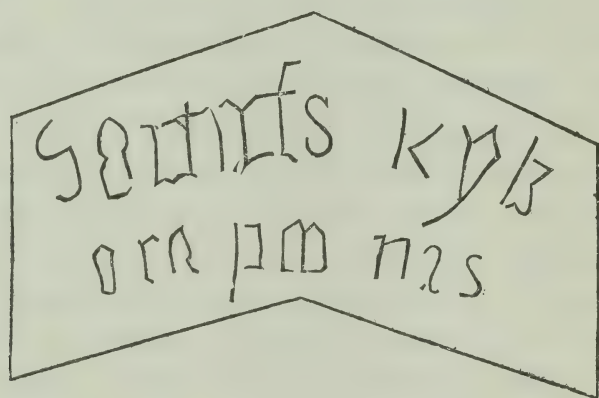
§ Newcourt, Repert. I. 453. || P. 593.

†† Sub anno 1257.

‡‡ P. 22.

|||| Wilkins, Concil. I. 551.

porch. The account under Buck's view of it says, it was rebuilt in or soon after the time of Edward III. The nave has two aisles; the chancel is mean. The battlements of the transepts are adorned with reliefs; those on the North side defaced. On the South are a dragon, with a head at each end; a man driving a cow or ass, an angel above, two men over two lions seiant, a tree between the lions; in the center the head of the deity and two figures kneeling; above the head traces of an inscription in two lines. Two lions passant guardant support a shield with a plain cross; a mitred head, probably St. Kebi's, between four roses. A fascia of quatrefoils ranges under these reliefs. A winged beast sits on the battlements. On the North transept is this inscription:



The remains on the other side seem to be the same repeated.

....1397....

Over the South door is a figure of the Deity, with the crucifix between his knees. Two shields charged with a chevron between three Cornish choughs, differing but little from those of Llowarch ap Bran, who is said to have founded two canonries here*. In the chancel 14 stalls. Among the figures carved on their seats are an elephant and castle, and two lions and tree

* Hist. of Anglesea, p. 37.

as on the battlement ; a figure of the Deity or Atlas ; two lions holding a tower, and a pelican.

In the North window these fragments :

==== etiam es

==== otroq'

==== et p'be

In a window of the South aisle, O 3 piles G.

The school on the South side of the church-yard may occupy the site of the monastery. It has an arch in the East end, and a large piece of wall is continued from it to the South. The walls of the church-yard are solidly built of stone, disposed in the herring-bone fashion, with layers of flat stones ; and at the North East corner, next the sea, are remains of a round tower. The account under Buck's print says, these walls are remains of a British fortification, built by Caswallan Lawhire, lord of Anglesea. They may be Roman work.

In the church-yard is a stone for Christian Sweetman, chandler, of Dublin, drowned in the Trevor packet 1763 ; the ship being unable to get up higher, run on the sand just off the Eagle and Child, and this only person was lost in getting ashore.

A packet boat was building in Holyhead bay, which is the name of the harbour. Under the mountain that overhangs the town, and is properly called *The Head*, is a large cavern in the rock, supported by natural pillars, called *The Parliament House*. It is accessible only by boats, and the tide runs into it.

Two rocks, with ruins on them, opposite the church, have the names of *Ynis Gybi* and *Ynis Rug*.

The turnpike road from Portathwy to Holyhead, 26 miles, is very ill kept for the first five miles, being pitched with great stones, but suffered to lie in great holes. The best part is that between Gwindè and Holyhead, 13 miles. The descent to the ferry-house is execrably rough and dirty ; yet here are two toll-gates on this road, and one would think traffick sufficient.

Mr. PENNANT gives the following account of HOLYHEAD *.

“ The country from Porth-althwy to Holyhead (25 miles) is dreary, woodless, hedgeless, rising into small hills, watered with numberless rills, and fertile in grass and corn.

“ From Carreg-Lwyd I rode to Holyhead, about eleven or twelve miles distant. Passed by Llanfachreth and Llanynghenedl to Rhyd-Pont bridge, where a very small river-like channel infiltrates the great promontory. Go over Towyn y Capel, a low sandy common, bounded on one side by rocks, which in high winds the sea breaks over in a most awful and stupendous manner, and are justly dreaded by mariners. In the middle of the common is an artificial mount, on which are the ruins of Capel St. Ffraid. I have no doubt but that, prior to the chapel, it had been the site of a small fort; for I never saw artificial elevations given to any but works of a military kind. This common abounds with the shells called the FASCIATED WREATH, *Br. Zool.* IV. N° 119; and the ZONED SNAIL, N° 133.

“ Not far from hence, between Bodier and Rhyd-Pont, in Rhosferlyn parish, is a fossil not frequently found. A green amianthus, or brittle asbestos†, is met with in great plenty, in

* Tour in Wales, II. 241. 275—279.

† “ The ancients set a high value on the Asbestos, a price equal to that of pearls. They wove napkins of it, and at great feasts diverted themselves (in order to clean them) to fling them into the fire, from which they returned unhurt, and with improved lustre. They likewise made of it shrouds for the bodies of great men, before they were placed in the funeral pile, and by that means preserved their ashes pure from those of the wood. The ancients believed that it was found only in India, in places where showers never fell, and the residence of dire serpents.” Pennant, *ib.* p. 273, from Pliny, *Nat. Hist. lib. xix. c. 1.*

a green marble, similar to that at Monach-ty; but, by reason of the inflexible quality of its fibres, not applicable to the same uses.

“ Within two miles of Towyn y Capel is the town of Holyhead, seated on a noted and safe harbour, guarded at its mouth from the winds by *This Gybi*—the island of St. Gybi, surnamed Corineus, son of Solomon duke of Cornwall; who, after studying some years in Gaul, returned to Britain, and fixed his see at the place now called *Caer Gybi*, and Holyhead*. In honour of his instructor, St. Hilarius bishop of Poitiers, he bestowed his name on one of the headlands; the same which goes also under that of St. Ælian’s.

“ The town is small, but greatly resorted to by passengers to and from the kingdom of Ireland; and is the station of the packets, five of which are in constant employ; they are stout vessels, and well manned.

“ The church is dedicated to St. *Gybi*; is an ancient structure, embattled, with the inside of a porch and the outside of the transept rudely carved. On the outside of the last is a dragon, a man leading a bear with a rope, and other gross representations. St. Gybi is said to have founded a small monastery here, about the year 380 †. *Maelgwyn Gwynedd*, who began his reign about the year 580, is said to have founded a college here ‡. This prince was styled *Draco Insularis*; perhaps the dragon engraven on the church may allude to him. Others assert that the founder of this college was *Hwfa ap Cynddew*, lord of Llys Llivon in this island, and one of the fifteen tribes of North Wales, and contemporary with Owen Gwynedd §. The head of the college was called *Penclas*, or *Pencolas*, and was one of the spiritual lords of Anglesey; the archdeacon of the isle was one; the abbot of Penmon the other. The Latin title was *Reſtor*, as ap-

* Cressy’s Church Hist. 149. † Tanner, 699. ‡ Hist. of Anglesey, 29. § Tanner, Ib.
pears

pears by the ancient seal, inscribed “*Sigillum rectoris et capituli ecclesiæ de Caer Gybi **.” I am not acquainted with the number of the prebendaries; but they were twelve at least, that number being found on the pension list in 1558†, at 1*l.* each. Before the dissolution, I find that the rector, or provost, for so he is also styled, had 39 marks; one chaplain had 11, and the other two the same between them‡. The whole value, in the 26th of Henry VIII. was esteemed at 24*l.* The English monarch had the gift of the provostship. Edward III. bestowed what was called the provostship of his free chapel of *Caer-Gube*, on his chaplain Thomas de London, for which the king, in 1351, dispensed with him for his services to himself§. James I. granted this college to *Francis Morris* and *Francis Philips*. It became afterwards the property of *Rice Gwynne*, esq. who bestowed on *Jesus College, Oxford*, the great tithes, for the maintenance of two fellows and as many scholars||; and since that time the parish is served by a curate nominated by the college.

“Near the church stood in old times a chapel called *Eglwys y Bedd*, or the church of the Grave; and *Capel Llan y Gwyddel*, or the chapel of the Irishman. Sirigi, a king of the Irish Picts, invaded this country, and was here slain by *Caswallan Law Hâr*, or *Caswallan the long-headed*, who reigned about the year 440**. Sirigi was canonized by his countrymen, and had in this chapel a shrine, in high repute for many miracles. This place had distinct revenues from the collegiate church. At length it fell to ruin, and was disused for ages. In removing the rubbish, not many years ago, a stone coffin was found with bones of a stupendous size; but we must not suppose these to have been the reliques of Sirigi, which had been carried away by some Irish rovers, and deposited in the cathedral of Christ church in Dublin††.

* Hist. of Anglesey, 20. † Willis's Mit. Abbies, I. 303. ‡ Willis's Bngor, 201. § Newcourt's Repertorium, I. 453. || Fanner, 659. and Hist. of Anglesey, 31. ** Powel, Pref. 15. †† Hist. of Anglesey, 34, 35.

“The

“The precinct of the church-yard claims a far higher antiquity than the church. It is a square of 220 feet by 130. Three sides are stony walls, 17 feet high, and 6 feet thick; the fourth side is open to the precipitous rocks of the harbour, and never had been walled, being intended for ships to retire to, and receive the benefit of protection from this inclosure. At each corner of the wall is an oval tower. The masonry of the whole is evidently Roman; the mortar very hard, and mixed with much coarse pebble. Along the walls are two rows of round holes, about four inches in diameter, which penetrate them. They are in all respects like those at Segontium or *Caer Segont* [described by Mr. Pennant in p. 220], and nicely plastered within.

“The use of this harbour to the Romans in the passage from various places to the ports of Lancashire and that of Chester is very evident. They could not find a better place to run into, in case of hard weather, than this, as it projected farthest into the Vergivian sea; so that they could make it with less danger of being embayed than in any other place. If (as is very probable) they had commerce with Ireland, no place was better adapted. The Romans, it is true, never made a settlement in that country; but they certainly traded with it, even in the time of Agricola, “when its ports and harbours were better known, from the “concourse of merchants for the purposes of commerce*.”

“I took a walk from the town to the top of *The Head*, in search of other antiquities. In my way, saw the ruins of *Capel y Goilles*, one of several which are scattered about this holy promontory. On the side which I ascended, my course was interrupted with a huge dry wall, in many places regularly faced, and ten feet high in some of the most entire parts, and furnished with an entrance. On the *Pen y Gaer Gybi*, or the summit of the mountain, are foundations of a circular building, strongly

* Tacitus, vit. Agricolæ.

cemented with the same sort of mortar as the fort in the town. It seems to have been a Pharos, a necessary director in those seas.

“ From the top of this mountain I had a distinct view of Holy-head ; it being at that time high water, and the channel filled on each side of Rhyd-Pont bridge. The isle is of unequal breadth, and greatly indented.

“ The part of the Head fronting the sea is either an immense precipice, or hollowed into most magnificent caves. Birds of various kinds breed in the rocks ; among them are Peregrine Falcons, Shags, Herons, Razor-bills, and Guillemots. Their eggs are sought after for food, and are gotten by means of a man who is lowered down by a rope held by one or more persons. Within memory, the person let down, by his weight overpowered the other, and pulled him down ; so that both perished miserably.

“ I returned over Rhyd-Pont bridge, and along the great road (which is excellent) towards Bangor.”

Extract from a MS. "Essay on Husbandry, particularly relating
 " to the Isle of Anglesea, by the Rev. Mr. ROWLAND, author
 " of *Mona Antiqua*," 4to.

Of all the species of the calcarious or mineral kind of stones in this country, the most truly admirable and singular is the *Amiantus* stone, whereof there is a large vein or stratum appearing in several places above ground in the parish of *Lanvairyny-bornwy*, discovering in the seams and scissures of it that flaky substance called by the ancients *Asbestinum*, and of late *Salamander's Wool*. This stone is highly mineral, impregnated with a great deal of vitriolated sulphur, and with some arsenical particles, as I guessed by the colour and smell of the fumes emitted in the calcining of it.

This *Amiantus* was very precious in ancient times. Pliny* describes it, and says of it, *rarum inventu, sed cum inventum est aequat pretia excellentium margaritarum*, i. e. a stone rarely to be found, and when found equals the value of the best pearls. It was in his time found only in the Indies; *nascitur in desertis adustisque sole Indiae*, says he of it; though afterwards it was discovered in so plentiful proportions in the island of *Cyprus*, that John Baptista Porta† relates, that in his time, about 150 years ago, the dressing and spinning of the wool of it was so commonly known and practised, that every old woman was dexterous in the management of it; *nam nunc temporis* (says he) *petitur & netur ab omni muliercula modo non ignorato ut Venetiis vidimus*. That lannuginous and vitriolick excrescence filling up the joints and futures of the rock when dextrously scraped out, in every thing resembles the purest flax, except in the shortness and incombustibleness of it. The ancient Romans had then the art of oyl-

* Nat. Hist. lib. xix. cap. 1.

† Magiæ Nat. lib. iv. cap. 25.

ing and dressing the hairy threads and petrified mucilage of this stone, and by them that art was probably invented, insomuch, that they commonly wove it into cloth, which they ever cleansed and purged from smuttiness and soiling by a gentle burning of it.

The bodies of emperors and kings when dead were shrouded in sheets of this linen, to be burnt in the *Rogus* or aromatick pile, that their ashes might not mix with the ashes of the wood with which they burnt them. Nero is reported to have had linen made of this stuff; and the emperor Constantine ordained that the flax of it should ever burn in lamps in his chapel in Rome. Many of the ancient subterraneous lamps lately discovered had their wicks of this twisted matter. Ludovicus Vives tells us, that he saw some of those lamps in Paris, whose lights never consumed it; and the Hon. Mr. Boyle gives the process of making them. The same Vives says, that at Lorrain he had seen a foul napkin taken from a table at a feast, and thrown into the fire, and being quite red as a coal, was taken out again, cooled, and restored to the owner more white than if it had been washed with water and soap.

The Grand Seignor has frequent presents made to him and his great ministers of this linen from the stone in Cyprus; and formerly the Romish priests had the knack of gulling the people, and making good markets, by exposing in their *Dolorum Archivis* rags of this cloth, for our Saviour's swaddling clouts, not to be burned by any fire, as a miraculous and most sacred relique.

The stone in itself consists of granules very closely united and solid, which makes it take a most curious polish, and when well ground and polished, appears dashed and spotted, and some of it waved and undulated with lively colours. Hafts for knives and forks, heads for canes, and such little things have been already made of it, which give a resplendent glare and beauty, if the stone be very hard polished. It is indeed pretty soft when it is
freshly

freshly dislodged from its native quarry; but when its mineral juice, and the vitriolick substance possessing its pores, are exhaled by lying some while seasoning in the air, it will become of a most unmanageable hardness, near as hard as porphyry, the particles of it becoming in that seasoning and extrusion of its natural *succus* so firmly fixed and compacted, that no abrasure of the most close grinding and smoothing will be able to dislocate and jolt out any of them, but will remain strong and firm enough to bear the cutting, which is the true reason of all superficial lustre and polish, and on that account I take it the best method would be to form and shape the stone even in the quarry, or very quickly after it is taken out, to what figure and proportion it will be intended for, giving it at that time a coarse polish, and then, after a year's hardening in the wind and air, to afford it a last and finished stroke, which at that time would be choice and lustrous if the polish it is capable of be truly given it.

Probably the deeper they dig for this stone the broader and larger they would find the woolly veins, affording longer and more flexible wool (the flaxy fibres lying cross the seams and joints); and not only that, but the larger also they will be like to find the medullary and solid part of the stone to be sawed or chizeled to any figure, and if pieces of it be to be taken up, without cracks or flaws, of five or six feet diameter, as it is very probable there may, and a small expence will discover it, the various uses of it for mantle pieces, sepulchral monuments, altars, inscription tablets; or if it cuts into pieces of a foot diameter, the forming of it into thin plates like our Dutch tiles, so jointed and cemented with its own dust into larger superficies, for inlaying and facing of chimneys, &c. or lastly into lesser dimensions, to afford a hundred little knacks which an ingenious artist would form it into; all which, with the natural firmness and beauty it possesses, and it lying so near the sea too, may render it a quar-

ry of considerable value; and if the laniferous seams of this stone will be found to be a full inch broad, whereby the flaky threads may be of that length, and I have been told that there have been discovered already some more than half an inch, I doubt not of a cheap and easy way to dress, spin, and weave it to equally as fine and durable cloth or linen as that of Cyprus, which would make it one of the celebratest quarries in Europe.

Who it was that first discovered the rarity of this stone, or what time it was first observed in this island*, no enquiry of mine could ever obtain satisfaction. As the thing is somewhat rare and remarkable, so the name of the person who first hit upon it, whether out of curiosity or chance, if we know who he was, well deserves to be at least remembered. All I could understand of this particular is, that about the year 1655, a certain person saw a small fragment of that stone at the house of the widow of Mr. John Griffith, the rector of Lanvaethley, in this island, where some flakes of the wool were then scraped out and shewn him; but that it was discovered some years before that time, I have reason to believe, particularly from a relation given by Mr. *William Leybourn*, published in his “*Magnetical Recreations*,” p. 7, who there asserts, that being in a tavern in London with some gentlemen about the year 1648 or 1649, one of the company took out of his pocket a piece of a kind of stone, about the bigness of a walnut; the outside thereof was of a dirty earthy colour, but the inside of a bright ash colour, not much unlike steel when a bar of it is new broken; off the inside of this piece of stone several of the company, myself for one (says he), did with our knives scrape off a kind of woolly soft flax, and putting it in the candle there burning, it immediately became red hot, but

* It seems the ancient Britains had some knowlege of this stone, for they call it *Maen Ystinos*, and *Urael*, the linen they made of the wool of it. See *Davies’ Dictionary*, in the word *Urael*.

no way consumed or diminished, but came off the fire white, whereas it was in the stone of a bright ash colour.

Now that this was a piece of this very stone which we have in the Isle of Anglesea, and of which I am now treating, I think to any who has seen the stone, and will compare it with the description given by the now mentioned author, there will be little room to doubt; so that it should seem, that much about this time mentioned by Mr. Leybourn, our *Amiantus stone* came to be first displayed to open view, but by whom I am sorry I cannot say; but to guess, give me leave to say, that there were then living in the neighbourhood of that place several gentlemen of choice parts, and of curious judgement and penetration: Colonel Robinson, on whose land the rock lay; and Dr. William Griffith, chancellor both of Bangor and St. Asaph dioceses; and Mr. John Griffith, rector of Llanvaethley, the latter's brother, in whose house a piece of this stone was seen, as I mentioned; any of whom upon the first sight of the scraped flaky veins of the stone, which either by quarrying for building, or sinking for limestone, might be easily discovered, could from the description given by Pliny and other authors, soon determine it to be *Asbestinum*, *linum vitum*, or Salamander's wool. Some specimens of it have been, about the year 1668 or 1669, sent to a gentleman of the Royal Society, who shewed it as an extraordinary rarity of this kingdom, at Gresham College. It exactly answered the trials of the true *Asbestinum*; but seeing that what was sent up of it was of the smallest veins, promiscuously gathered up without care or choice, it only served to be pasted into a sort of paper, whereof several pieces were made, rather for curiosity than use; though some of the nobility, I was told, put a higher value upon it, and wore it in their rings for some little time, as a singularity of this kingdom, scarce to be sampled with the like in any of the western parts of Europe.

Europe. Mr. Edward Lluyd, of Oxford, has since then given a particular account of it *.

As to the stone itself, the extraordinary niter and polish of it was, in the year 1700, first observed and experimented by one *Edward Jones*, servant of Mr. John Owen of Pryfaddved; and soon after further trials have been made at the charge and by the direction of Mr. *Pierce Lluyd* of Lanedan, by a stone-polisher of Shrewsbury; and indeed it were to be wished that the worthy gentleman who is proprietor of the land (Mr. Robinson of Manachdy) on which this stone lies, and displays itself, would be pleased to lay out some small matter to make deeper searches into the body of it; for if the incombustible wool answers not the desired effect, yet the abovementioned experimented quality of the stone, if it be found in pretty large compact lumps, as I said before, to be cut and modelled into particular uses, or even to make little knacks, which it is already found to do, of singular elegance and beauty, is more than enough to persuade and invite to a farther scrutiny. But how have I strayed from my purposed scope! What is all this, will some one say, to agriculture's improvement? I answer, it is nothing at all; yet I reckon this stone, which has taken up more than its share of this prefatory discourse, to be a *species* of the calcarious kind, which is a part of the subject of it; and I hope the usefulness and justice of the remark (for the finders as well as the time of first finding of things that are rare and observable justly deserve to be celebrated) will sufficiently atone for the incongruity of the digression.

* Philof. Transact. N^o 166, p. 823, subjoined to this extract.

An account of a sort of Paper made of *Linum Asbestinum*, found in Wales, in a letter from EDWARD LLUYD, of Jesus College, Oxon. Printed in the Phil. Transf. N^o 166, p. 823, 824.

“In obedience to your command, I have here sent you all the account I am able to give at present of the *Lapis Amiantus* or *Linum fossilis Asbestinum*, which you were informed (and that truly) was to be found in the Isle of Anglesey; wherein I shall chuse to refer it to your own judgement to determine whether this be the same kind with the Asbestos of the ancients, or in some respects different from it; nor shall I mention any thing out of authors relating to it, well knowing that would prove but needless to you, as being not unacquainted with whatever has been said of it, but shall only give you some bare informations of it from my own experience. It is found in no small quantity in the parish of Llan-Fain yng Hornsey, in the northern part of Anglesey, where it runs in veins through a rock of stone, in hardness and colour not unlike flint. These veins are generally about a quarter of an inch deep, which is the length of the Amiantus, and it is seldom longer, but often shorter. It is composed of a lanuginous matter, exactly resembling that of papous plants, but so closely compact that till you draw a pin or any such sharp thing cross the grain of it, it appears only a shining stone, there being not the least filament of lint to be perceived in it. In its natural form some of it looks whitish and some straw coloured, but all shining; but if pounded in a mortar, the brightness disappears, and the whole becomes whitish. Note that above and beneath the veins there is a very thin septum of terrene matter between the Amiantus and the stone whereto it adheres. I put a small quantity of the lint in the fire, which grew red hot, but though it remained there a quarter of an hour, I could not perceive

ceive that it was any thing consumed. I twisted also some of it in form of a wick, as you had done that of Cyprus before, and dipping it into oil, it gave as good a flame as other wicks till the oil was consumed, the wick remaining in the same proportion as at first. Being satisfied it was incombustible, and instructed by one of your chemical lectures in the natural history school, that paper had and might be made of it, I resolved to try whether any could be made of this, which if not useful, might at least prove surprizing to such as knew not the material of it, by its not yielding to the fire; to which end I pounded some quantity of it in a stone mortar, till it became a downy substance, and seemed very fit for that purpose; then I sifted it through a fine sarse, by which means I purged it indifferent well from its terrene parts; for what earth or stones I could not pick out of it before, or at the pounding, being reduced to a powder, came through the sarse, the Linum remaining. Having thus pounded it and cleansed it, I brought it to the paper mill, and putting it in water in a vessel just capacious enough to make paper with such a quantity, I stirred it pretty much, and desired the workmen to proceed in their usual method of making paper, with their writing paper mould, only to stir it about ever before they put their mould in; considering it as a more ponderous substance than what they used, and that consequently if not immediately taken up after it was agitated, it would subside. Paper made of it proved very coarse and too apt to tear, whereof I have sent you a sheet. But this being the first trial, I have some reason to believe it may be much improved; nor did the workmen doubt but in case it were pounded in one of their mortars for 20 hours space, it would make good writing paper, which when I shall receive a sufficient quantity of it, I design to try; in the mean while be pleased to accept of this superficial account of it, in token of gratitude,

from your most obliged servant,

E. LLUYD.

Near

Near the small harbour of *Cernlyn*, in the parish of *Lan-fairynghornwy*, is a remarkable quarry of the lanuginous mineral called *Asbestos*, from a supposition of it having the property of resisting fire; but upon several trials made it was found to diminish materially each time. We are told indeed by Pliny, that the ancients wove it into a cloth, which whenever stained or any way become dirty, was put into the fire, and when taken out was rendered more clean than ever*.

* Hist. of Anglesea, ubi sup. p. 53.





Description of the ANGLESEY COINAGE.

THE COPPER TOKEN, as it may be called, in imitation of those struck in the last century for the like purpose (one of which, issued at *Holyhead*, by *Hugh Davis*, 1666, is here copied, *fig. 1*), was coined in Birmingham, for the use of the great copper mine in the Isle of Anglesey, called *Paris Mountain*, they not being able to procure good halfpence for the payment of their labourers.

On one side (see *fig. 2*) is a Druid's head within a border of oak leaves, alluding to the ancient residence of the Druids in that island.

On the reverse, the cypher *P. M. C.* signifies the *Paris Mountain Company*; and the letter *D*, inclosing the numeral *1* over it, *one penny*.

F 2

Under

Under the cypher is the year 1787. Round the cypher is read,

WE PROMISE TO PAY THE BEARER ONE PENNY;

and round the edge,

ON DEMAND IN LONDON, LIVERPOOL, ANGLESEY;

the Company having established bankers in those places.

This token was scarcely issued, when it was thought worth while to counterfeit it; which has been done by some able artist, as may be seen by an inspection of the plate, *fig. 3*. The material variations are, the inferiority of the Druid's bust, and of the oaken foliage; and in the reverse the *1 D.* is omitted, and the date placed at the top instead of the bottom. The whole reverse is also turned, in the counterfeit, the opposite way to the genuine one.

There is also a *second* counterfeit, nearly resembling the former; the foliage only having some slight variation, and the dot placed over the *second* figure of the date instead of the *third*; in other respects it is extremely similar*.

* See Gent. Mag. vol. LVII. p. 1160.



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